INQUIRY
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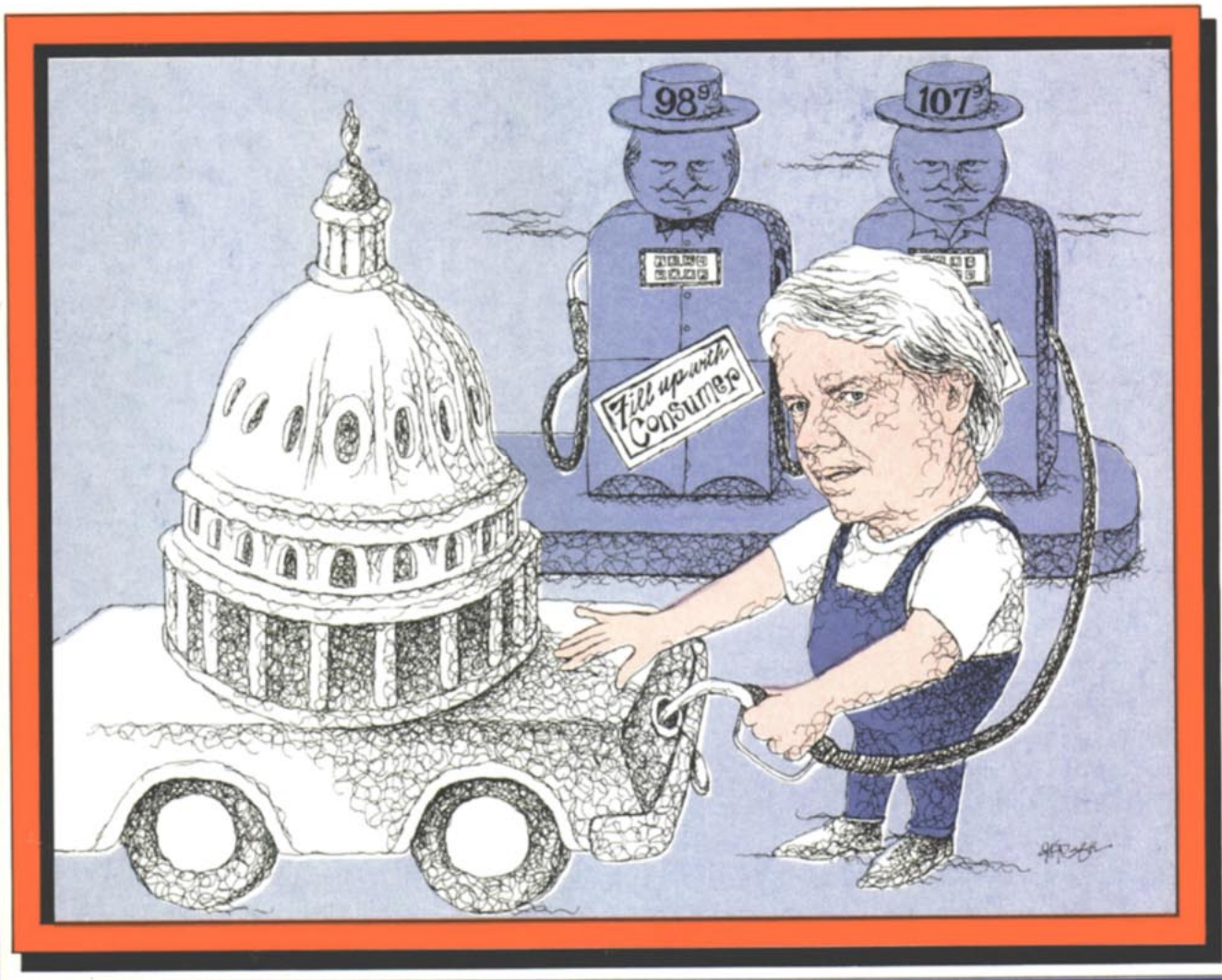
Why Begin Won't Give Peace a Chance

Social Security: Pay Now, Pay Later

The Fight Against Draft Registration

Carter's Energy Package

Pumping the Taxpayer Dry



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They could wiretap, plant informers, topple democracies, use people as guinea pigs, run smear campaigns, provoke violence, hire Mafia killers. It was cloak and dagger and no questions asked.

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INQUIRY®

SEPTEMBER 10, 1979

Israel: Biblical destiny or peace

ARTHUR SAMUELSON p. 18

Many Israelis, dismayed by their nation's crumbling economy, are now beginning to see peace as a bargain they can live with.

COLUMNS & REVIEWS

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Carter's war on us all: The making of an energy crisis.

Bread & Circuses ..... p. 8

Carter's final meltdown. Two months later, the President and his advisers are still puzzled about what went wrong when they recycled the infallible Trust Me speech. (*PHIL STANFORD*)

First Amendment Watch ..... p. 10

Libel law: New thorns in the thicket. This Court's version of the First Amendment creates an open season for libel suits and can only lead journalists to take cover. (*NAT HENTOFF*)

Politics ..... p. 12 & p. 14

The fight against the draft. While the gung-ho crowd in the nation's capital moves stealthily to bring back registration, the rest of the country is up in arms. (*BARRY LYNN*)

Social security: Pay now, pay later. Workers just entering the labor force, especially at the middle and upper salary levels, will give far more than they can ever expect to get. (*DONALD LAMBRO*)

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James D. McCawley on *Liberty and Language*, by Geoffrey Sampson; Hugh Thomas on *Blood of Spain: An Oral History of the Spanish Civil War*, by Ronald Fraser; Barton J. Bernstein on *The U.S. Crusade in China, 1938–1945*, by Michael Schaller; and David Gordon on *Confessions of a Conservative*, by Garry Wills.

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Stephen Harvey reviews *The Main Event*, directed by Howard Zieff; *Lost and Found*, directed by Melvin Frank; and *The Muppet Movie*, directed by James Frawley.

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A WORD FROM THE PUBLISHER

"THE IMMEDIATE IMprovement of our ability to prepare for processing people" is the Orwellian phraseology used by Defense Secretary Harold Brown to justify registration—as a first step toward a return to the military draft, according to Barry Lynn in this issue. His article is an analysis of the ominous struggle that is now raging on Capitol Hill over the proposed reinstatement of involuntary servitude. Perhaps even more disturbing is a growing belligerence found in the new push for a draft, Pentagon plans for an energy-related foreign legion, and the militaristic metaphors employed by President Carter in promoting his comprehensive energy program. Our editorial response to Carter's proposals makes it clear, I think, that the only energy "crisis" facing this nation is the one posed by the rigidity of a centrally controlled economy.

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RES PUBLICA

Let's hope not

■ Albert Speer, the war production chief who kept Nazi Germany's industry running despite shortages and day and night bombing by the allies, today applauded President Carter's synthetic fuel program.

Speer said his experience in producing gasoline from coal indicates the United States will be able to do for peaceful purposes what Adolf Hitler did in World War II.

—Washington Post, July 23, 1979

The quality of mercy

■ "The infested areas are not too hard to avoid," a [Japanese] shipping executive said. "All we have to do is to steer a bit further off the coast of Vietnam.

"That could add 200 miles to a ship's voyage," he said, "but it is also a lot cheaper than stopping to pick up refugees. On the whole we don't feel that they deserve our help; they are never grateful in the way that we expect."

—New York Times, July 15, 1979

They might have to Xerox them all

■ Judge David N. Edelstein, hearing the Justice Dept.'s antitrust suit against International Business Machines Corp., approved a government subpoena that IBM claims calls for 5 billion pages that could take 62,000 man-years to locate. Justice wants the papers to prepare for cross-examination of IBM's chairman, Frank T. Cary. IBM claims that complying will cost $1 billion.

—Business Week, July 9, 1979

For the record

■ The U.S. media, [Georgia Congressman Larry] MacDonald said, "play up the Sandinistas as Robin Hood angels and the authority element, the elected government, as some type of brutal repressive dictatorship."

An ABC reporter asked MacDonald to "walk down here on the beach at the lake and look at the bodies with their hands tied that (the National Guard) is burning in the morning. And you come down here and accuse us of distorting? Where the hell have you been, sir?"

—San Francisco Chronicle, July 11, 1979

Why not call them reeducation centers

■ Shinyu (Shinny) Yamagata stood beside the bronze plaque in the stone monument and read the inscription unveiled Memorial Day.

"Tule Lake was one of 10 American concentration camps established during World War II to incarcerate 110,000 persons of Japanese ancestry, of whom the majority were American citizens . . ."

Many residents of the Tule Lake area on the California-Oregon border are objecting to the use of "concentration camp" on the plaque and the Modoc County Historical Society refuses to be one of the sponsors of the monument because of it.

—Los Angeles Times, July 23, 1979

Anything but . . .

■ The dollar has taken some hard knocks recently and now a New York union has proposed that its members be paid in something of more durable value.

"Recognizing the possibility of uncontrollable inflation and the serious loss of credibility and purchasing power of [the dollar], the employer, upon union's demand, will probably remunerate employes in mediums of exchange other than the presently used U.S. Federal Reserve dollar," the Professional Employes Federation has proposed in its negotiations with New York state.

—Washington Post, June 23, 1979

And causes blindness

■ Ayatollah Ruhollah Khomeini banned all music from Iranian radio and television yesterday because, he said, it is "no different from opium."

Music, the 79-year-old revolutionary leader said, "stupefies persons listening to it and makes their brain inactive and frivolous."

—New York Times, July 24, 1979

White-collar criminals

■ Although President Leonid Brezhnev's new constitution guarantees a job for everyone and Soviet law makes it a crime to be out of work, unemployment has become a nagging problem in parts of the Soviet Union. . . .Because a sizable number of the new jobless are school graduates, their teachers have a particularly ironic role in explaining how unemployment, outlawed since 1930, continues to exist.

—Business Week, July 23, 1979

How about three rosettes if it's really good

■ Dr. [Michael] Jacobson has also asked the FDA to label foods "good" or "bad." Foods high in sugar, salt or fat content would be marked with pictures of sugar bowls, salt shakers and "whatever is applicable for fat." Conversely, foods that met Government-set criteria for nutritional value would be stamped with "a good food label something like the Underwriters Laboratory or Good Housekeeping Seal, so you could send a 5-year-old who doesn't speak English to the market to buy anything, so long as it had that 'good' picture on it."

—New York Times, July 25, 1979

Revisionist history

■ After being exploited for years by capitalist mythmakers, Dracula finally has been rehabilitated on celluloid in the land of his birth, Communist Romania.

A new film [*Vlad the Impaler*] depicting the former Romanian prince as "a cavalier of justice" has opened in Bucharest to rave reviews. . . .

In the past, historians have not been so kind to Vlad. Dracula was a nickname he acquired meaning "son of the devil" or "son of the dragon." The cruelties attributed to him include impaling up to 20,000 noblemen and their servants on stakes, killing all cripples and vagrants in his kingdom, and sending Turkish messengers back to his enemy, the sultan, with their noses and ears cut off.

During nationwide celebrations in 1976 marking the 500th anniversary of his death, Vlad was praised for "the modern style in which he conducted himself as head of state." . . .

Writing about Vlad Dracula today, Romanian historians stress his belief that "the country can only prosper under authoritarian rule." . . .

—Chicago Tribune, June 3, 1979

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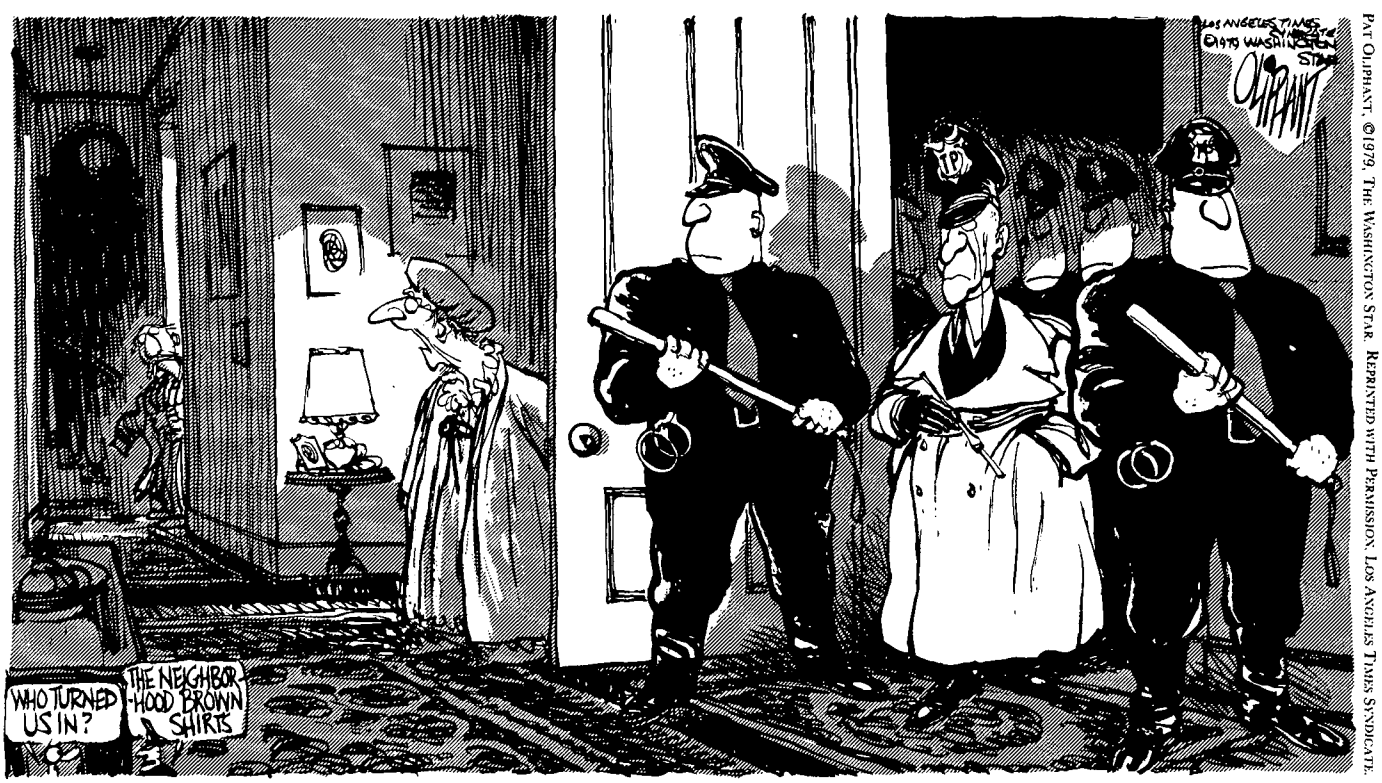
Carter's war on us all

The making of an energy crisis

WHEN JIMMY CARTER CANCELED HIS July 5 energy speech and retreated to the wilderness to search his soul and take the spiritual temperature of the nation, America had an energy problem. The fact was undeniable; the evidence of it could be seen at filling stations all across the nation. America had a gasoline shortage. Why? Despite politically motivated efforts to scapegoat the oil companies, the reason became plain enough: When a shortfall of gasoline production—caused by the cutoff of crude oil from Iran, environmental rules, and the Department of Energy's crude-oil entitlements program—was combined with the crazy-quilt fuel-allocation system and with price controls, the shortfall became a shortage. America's energy problem was not an act of God. Nor was it a signal from on high that we had at last come up against the limits of Nature's bounty. No, America's gasoline shortage was home grown—sown and tended by the Department of Energy, to be reaped by the American people. Even James Schlesinger finally had to admit as much: "Gas queues are a consequence of prices, intensified by the system of allocations," he said. "There would be no lines if there were no price and allocation controls."

When Jimmy Carter went into the Maryland wilderness to search his soul, he had a political problem. Namely, the energy problem. He knew he had a political problem because the pollsters Gallup, Harris, and Caddell were reporting that his approval rating had slumped lower than that of any President ever, including Richard Nixon. In other words, the American people had decided that the energy problem was Jimmy Carter. "In many respects," wrote Stuart Eizenstat, Carter's chief domestic adviser, in a memo to the President, "this would appear to be the worst of times."

But Eizenstat exaggerated. The worst of times will come if Carter's new energy package becomes law. For when Jimmy Carter went up to Camp David, the nation had an energy problem. But when he came down from the mountain, carrying his new plan, America had an energy crisis.



'HENRY— IT'S THE THERMOSTAT POLICE!'

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The sin of synfuel

JIMMY CARTER SAYS HIS PLAN WILL END the energy shortage. Yet it leaves in place the programs that created our current gasoline shortage: federal price and allocation controls. Thus, gas lines will become as American as apple pie. Instead of allowing gasoline prices to rise to their market level, Carter is asking for a standby rationing program, so that all of us will be able to suffer together the shortage he has caused.

If this were all the sacrifice Jimmy Carter had asked, it would have been bad enough. But there is much, much more. Using the gas lines as a pretext, Carter has proposed an energy package that will transform the energy business and make the energy crisis permanent. The key feature of this proposal is a scheme to reduce oil imports by mandating conservation and providing enormous federal subsidies to produce so-called synthetic fuel from coal, oil shale, and tar sands. In all, Carter has asked for $142 billion over the next decade to carry out his plan, $88 billion of which will go to a new Energy Security Corporation that will finance the development of synthetic fuels.

This synthetic-fuel program, the most ambitious and expensive part of Carter's package, is also by far its weakest link. Synthetic fuels are hopelessly uneconomical now, and the picture is unlikely to change soon. Even at the current OPEC price, by the end of 1979 the *real* price of oil (adjusted for inflation) will have risen by only $3.78 a barrel in the last four years. Synthetic fuel, by contrast, will cost closer to $40 a barrel—and if inflation continues at the present rate, the nominal cost of synthetics will double before 1985. So imported OPEC oil is likely to remain commercially more attractive for many years to come. Unfortunately, Americans won't be permitted to buy as much of it as they want; the new oil import quota will protect the government's infant synfuel industry.

And even if Carter reached his target of two million barrels of synthetic fuel a day by the early 1990s (an unlikely prospect), this would increase the world's oil supply by only 3 percent, hardly enough to bring the price level down significantly. Indeed, by leaving in place policies that inhibit new domestic exploration and production, Carter is actually aiding the OPEC cartel.

The synfuel program promises to be an environmental disaster as well. Squeezing oil from shale or coal would draw vast quantities of water (up to three barrels for every barrel of shale oil) from two of the country's most parched regions, the Colorado River basin and the Northern Great Plains. Leachings from the toxic tailings are likely to foul any drinking water that remains. And injured citizens will have little hope of legal redress; Carter's Energy Mobilization Board is designed to push synfuel production forward at all costs, against selfish, indulgent concerns about pollution or water rights. The iron heel of our new energy dictatorship was best described by Kitty Schirmer, special assistant to the President for environmental programs, who observed blithely, "This will simply have to be a government of men and women and not of laws."

As if to ensure that the synfuel program will become one of the great boondoggles of all times, marked by enormous cost overruns, the Carter administration has specifically modeled its Energy Security Corporation after Herbert Hoover's 1930s bail-out scheme, the Reconstruction Finance Corporation. After reporting this analogy made by departing Energy Secretary James Schlesinger, the *New York Times* could not resist reminding readers that the RFC was abolished in 1957 "after years of charges and countercharges of waste, mismanagement, and favoritism." Another *Times* story similarly characterized the RFC's life as "mired in political scandal and corruption charges."

Frequently named as leading the White House's list of preferred candidates to head the synthetic-fuel authority are two luminaries of American state-monopoly capitalism: John D. deButts, the retired chairman of the publicly franchised telephone monopoly; and Felix G. Rohatyn, a partner in the investment banking house of Lazard Frères and chairman of New York City's Municipal Assistance Corporation. Rohatyn, one of the nation's leading proponents of central planning, had earlier worked on a financing plan for such an authority—a plan that was greeted effusively by *Business Week* and has in many respects been followed by the Carter administration.

Certain other business leaders have also welcomed the drive for synthetic fuels and the closer partnership of business and government that it portends. Exxon chairman Clifton Garvin says he is "delighted" at the government's favorable attitude toward synfuels and notes that for a year he has been calling for a "major effort" in synfuel "by the nation." Garvin, of course, will be only too happy to see "the nation" pay the oil companies billions of dollars for the risk-free development of synthetic fuels. He wouldn't want to risk any of his own money on such a project.

But if synthetic fuels ever do become commercially attractive, the private capital market could certainly finance their development without forced savings or political investments. In the past, capital-intensive projects like the Alaska pipeline have been financed privately. Similarly, uncertainties about ultimate costs or future energy prices have not prevented financing of highly capitalized endeavors like offshore drilling. Nor have long lead times, such as those necessary for bringing new commercial aircraft on line, prevented successful private implementation of new methods of production. Nonetheless, the usual arguments about costs, uncertainties, and lead times have surfaced as justifications for a government synfuel authority.

Exxon chairman Garvin estimates that the capital costs of reaching Carter's target on time would be "several hundreds of billions of dollars"—yet expenditures by manufacturers for plant and equipment totaled less than $68 billion last year. The sort of mandatory reallocation of capital that Carter is suggesting is certain to produce extraordinary capital shortages and misinvestments. For example, a recent RAND Corporation study of production costs observes that synthetic-fuel plants would draw off scarce talent in the heavy engineering field. Only a few architectural-engineering firms in America have the equipment, personnel, and supplies to handle such a

Synthetic Fuels: Who Benefits

Coal	Oil Shale	Tar Sands
American Natural Resources	Colony Oil	Cities Services
Ashland Oil	Development Engineering, Inc.	Exxon
Conoco	Occidental Petroleum	Gulf Oil
Dynelectron	Rio Blanco	PanCanadian
Exxon	Superior Oil	Petro-Canada
Gulf Oil	Union Oil	Shell
Southern Company		Sun Company

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project; these would have to be diverted from activities that otherwise would be expanding the country's capacity to produce and export chemicals. While centralized allocation of capital will fatten some wallets—and some government bureaucracies—it will not end the gas lines or bring down the price of oil.

Carter's program for synthetic fuels is a prescription for disaster. It will speed inflation, despoil the environment, and threaten the health of millions. It will waste countless billions of dollars and skew investment decisions throughout the entire economy. While it feeds an already bloated bureaucracy and enriches a privileged few, it will make the rest of us poorer and less free.

Soaking the producers

CARTER PROPOSES TO PAY FOR HIS energy package with a "windfall profits" tax on the nation's oil companies. Somehow this is supposed to be a fitting punishment for oil companies, forcing them to subsidize their own competition. Making the oil companies transfer their own capital to synthetic-fuel production will indeed compound their injury; but it will also leave them less capital to discover and produce more oil, and less incentive to do so. What sin have the oil companies been committing to deserve this treatment? Supposedly, their failure to produce more oil. But to punish oil companies—which have at the very least been producing *some* oil—while subsidizing firms that have been producing no oil at all, makes no moral or economic sense whatever.

A tax on profits penalizes successful risk and foresight, and robs entrepreneurs of the capital with which to expand their production. But the tax proposed by the Carter administration and now working its way through Congress is not a tax on profits at all. It is only called a tax on profits to appeal to antibusiness sentiment among the voting public.

In fact, the tax Carter has proposed is an excise tax, graduated according to changes in the world price of oil. The tax would work this way: The world price of crude oil is now approximately $20 a barrel. Any time the world oil price rises in real terms, American oil producers will be hit with a tax on the difference between the old and new price (50 percent in the Carter proposal, 60 percent in the bill passed by the House). Suppose that the tax is 50 percent. If the world oil price rises to $22 in 1979 dollars, a rise of $2 over the "benchmark" price of $20, the federal tax on the oil companies will be $1 a barrel. If the price rises to $30 a barrel, the tax will again be 50 percent of the difference over the benchmark of $20; that is, $5 a barrel. Note that the tax rate rises with the price of oil. At $22 a barrel, the tax was $1, or 4.5 percent of the price; at $30 it was $5, or 16.7 percent of the price.

Despite the hysteria directed against Big Oil by the Carter administration, it is not the big oil companies who will be hit by the excise tax, but the 10,000 small independent companies who do 90 percent of the oil exploration in the United States. For the tax will be levied at the wellhead, per barrel of crude oil produced, and not on the majors who are mainly refiners and marketers of oil purchased from the independents.

The effect of the tax will simply be to cut by half the incentive that OPEC price hikes give to domestic oil producers to find more oil. And the real beneficiaries will be the federal bureaucrats who will grow fatter as the price of oil rises—and without having to take any of the risks faced by the real producers of energy.

Who needs energy independence?

AT THE HEART OF CARTER'S NEW program is the conviction that foreign oil is the root of America's energy woes. In his July 15 speech, Carter announced that he would end our "intolerable dependence on foreign oil" by immediately imposing a ceiling of 8.5 million barrels a day on oil imports.

Ever since the Arab oil embargo of 1973, the desirability of decreasing oil imports has seemed almost beyond question. *Business Week*, for example, proclaims editorially that "no matter what the cost, in the long run synthetic fuels will be cheaper than continuing subjugation by OPEC." It is this almost unexamined assumption that powers the drive to "do something" about energy. But do we really need to free ourselves from dependence on foreign oil?

The most common reason given for reducing oil imports is economic. Opponents of continuing oil imports say that payments to OPEC contribute to America's balance-of-payments deficit and lower the value of the dollar in relation to other currencies. This is undoubtedly true. But what is true for oil is true for all imported goods and commodities, whether bananas, coffee, or automobiles. It matters not at all whether the dollars are spent for oil or television sets. Our exchange of paper dollars for useful goods is a deal to be applauded, not lamented. And the resultant decline in the value of the dollar, far from being a cause for hand-wringing, is the mechanism by which the market reestablishes an equilibrium by making imports more dear for American buyers.

These simple facts of trade economics are well understood. But American leaders understand also that a steady decline in the value of the dollar will diminish their ability to act as the political, military, and economic leaders of the Western world. Every dollar spent on foreign oil makes it more costly, say, to garrison troops in South Korea or prop up client regimes with foreign aid. But instead of cutting back on the more than $70 billion the United States now spends abroad annually for military bases and economic aid—$70 billion that is pure economic waste—Carter has declared a crisis over the $60 billion that Americans will spend in the next year to import the oil that powers our factories and lights our cities, oil that fuels our transport system and heats our homes, oil that helps clothe and feed us. If the drain of dollars is truly a crisis, why must the sacrifice be borne by consumers and not by the national-security state?

The other driving concern behind Carter's search for energy independence is the fear of having the flow of foreign oil shut off. This fear, though not totally unfounded, has been vastly exaggerated. Oil imports still account for less than half of American oil consumption, and oil provides only half of our energy. (By comparison, West Germany must import all of its oil, and Japan is totally dependent on foreign suppliers for all of its energy needs.) A complete and sudden cutoff of all oil imports would, of course, be damaging to our economy, but no serious person believes that this could ever happen. The United States imports oil not only from OPEC countries but from Canada and Mexico, and OPEC nations themselves are a wide array, politically and geographically: Saudi Arabia, Indonesia, Nigeria, Venezuela, Algeria, Kuwait, Iran. As the Arabs learned in 1973, it is nearly impossible for the producing countries to direct the flow of oil once it has been pumped out of the ground and sent off on the high seas, which means

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that another oil embargo of the United States is a tenuous threat at most. Nor is it likely that OPEC countries would ever try to cut off production entirely: The more populous OPEC nations are as dependent on the dollars that flow from the West as we are on their oil, and the oil kingdoms of the Persian Gulf have invested so much of their wealth in the West that any blow at the United States would amount to financial suicide.

The most likely threat to American oil imports arises from the possibility of war and revolution in the Persian Gulf. If war in the area stopped production in Saudi Arabia or blocked the shipment of oil from that region, the resulting shortfall would have severe economic effects in the entire Western world. But does this possibility require us to limit or decrease oil imports? Should we deny ourselves the benefits of foreign oil now, on the chance that they might be denied to us in the future? To be secure from a disruption of oil supplies sounds like a desirable goal. But is it worth the waste of billions of dollars, the destruction of our environment, and the loss of our freedoms?

The sword behind the smile

KEY FIGURES IN THE CARTER administration and in Congress, frustrated by their failure to find a quick fix at home for the energy crisis, are now eyeing instead a quick strike in the Persian Gulf. Last February, Defense Secretary Harold Brown told CBS's "Face the Nation" that protecting "oil flow from the Middle East is clearly part of our vital interest" and would warrant "any action that's appropriate, including the use of force." On Capitol Hill, Senator Gary Hart, a member of the Armed Services Committee, warned ominously that "we may be forced to use military force to preserve the oil flow" if military action "is taken against one of our suppliers . . ."

Such threats are nothing new, of course. President Ford and his secretaries of defense and state, James Schlesinger and Henry Kissinger, repeatedly refused to "rule force out" if the industrialized world were in danger of being "strangled." Schlesinger never stopped harping on that theme as long as he remained Carter's energy czar.

It is only fitting, therefore, that Carter's new energy secretary, Charles W. Duncan, Jr., should have been the one who triggered a top-level policy review that now promises to dramatically increase America's military presence in the Persian Gulf. Duncan, former president of Coca-Cola, served as deputy secretary of defense until his latest appointment.

Recent talk of a military intervention in the Persian Gulf stems from an early Carter strategy directive, PD-18, that established the "Quick Strike" concept. Plans for such a force, however, were put on the back burner until, late in June, a cabinet-level policy review committee decided to augment U.S. naval forces in the Gulf region. At the same time, General Bernard Rogers, the exiting army chief of staff, announced that the army has renewed its plans to create a 110,000-man "Unilateral Corps," an aptly named force for intervening in "hot spots" outside NATO. All this interest in so-called "surge deployment" grew out of Zbigniew Brzezinski's demand for a reassessment of America's military posture in the Middle East in the aftermath of the "fall" of Iran.

So it looks once again as if a President, paralyzed by his lack of any coherent policy vision at home, is considering donning the mantle of Commander-in-chief to achieve some dramatic solution abroad. If Americans have trouble powering their campers or air conditioners this summer, prepare to send the marines. After all, isn't the energy crisis the moral equivalent of war?

One thing's for sure: A "quick strike" in the Middle East would make the Suez crisis look like a Wimbledon garden party. And it certainly would not be quick. Pentagon officials admit that the logistics problems alone are nearly insurmountable; indeed, the attempt to send a mere squadron of F-15s to Saudi Arabia during the Yemeni "crisis" proved more than the Pentagon could handle. A recent Library of Congress report confirms that it would take weeks for all American forces to reach their destination, leaving no chance of mounting a surprise attack. Vast numbers of troops would be permanently tied down to prevent sabotage along thousands of miles of pipelines, while U.S. oil workers would have to be drafted en masse to repair and operate equipment abandoned by native workers. And there would be no way at all to prevent enemies from mining or blocking the narrow Strait of Hormuz, through which oil tankers from the Gulf region must pass.

All in all, not a very enticing prospect, as an exasperated Willy Brandt recently pointed out. "Anyone could see that even a conservative country like Saudi Arabia would blow up its oil fields before foreign troops could take them over," he said. "This is rubbish." Amen.

The war on all of us

THE ENERGY CRISIS, TWO YEARS AGO labeled the "moral equivalent of war," has now escalated. "On the battlefield of energy," said Carter in his July 15 address to the nation, the United States must "seize control again of our common destiny." The President, his clenched fist beating out a martial cadence, invoked the ideals of patriotism, sacrifice, faith, and unity in the "struggle for freedom," to "win the energy war" against the "clear and present danger" to "the very security of our nation."

Carter's advisers, secretaries Schlesinger and Blumenthal, told the President at Camp David that decontrolling oil prices was the only way to end the energy shortage. But he rejected the advice, reportedly, because such a policy would not cure the "malaise" sapping the American spirit. Nor would oil decontrol have been consistent with Carter's desperate attempt to appear as the leader of a strong and united nation. No, he needed a war-crisis atmosphere to convince the American people to trust in political institutions that are fast becoming discredited.

Carter's philosophy echoes that of Benito Mussolini, who said glowingly of war that it "alone brings up to its highest tension all human energy and puts the stamp of nobility upon the peoples who have the courage to face it." Carter tells us now, "Energy will be the immediate test of our ability to unite as a nation."

Thus does Carter propose to subordinate the individual to the greater glory of the state—his state. All of us must become twice-born, purified on the battlefield of energy. But as we swelter in the heat of midsummer and freeze as the winter sets in, let us be clear who the real antagonists are. This is not a war between the United States and OPEC, or between consumers and oil companies. Rather, it is a war of the federal government against the citizen. At stake are hundreds of billions of our tax dollars and our freedom to work and consume as we please.

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LETTERS

Letters to the editor should be addressed to INQUIRY Magazine, 1700 Montgomery Street, San Francisco, California 94111. The editors reserve the right to edit letters for length when necessary.

MADness

I AM SURPRISED BY THE almost hawkish tone at the end of your "dialogue" on SALT [Aug. 6 and 20]. You say, "Such [nuclear] retaliation should be designed to kill as few civilians as possible; the deliberate destruction of cities should be considered only after attacks on our cities."

I am not expert enough to know if a defense can be so designed, but if it could, would it be consistent, as you suggest, with the moral values of our political heritage? A system that would kill even a few innocent civilians seems contrary to this libertarian heritage.

And what would the destruction of Russian cities, following the destruction of ours, have to do with defense? Wouldn't that be just the spiteful murder of millions of innocents?

Our fearful times prompt previously unspeakable thoughts: Could U.S. security be maximized by a unilateral dismantling of our nuclear terror machine? The U.S. and Soviet governments are holding each other's population hostage. I wonder if the best way to have our hostages released would be to release theirs. Since we would cease to be a threat to the USSR (and after all, this threat started the MAD arms race), it would have no need to threaten us. Abandoning our imperial outposts would further reduce the threat.

SHELDON L. RICHMAN
Wilmington, Del.

Giant-killer

WHILE I HAVE ALWAYS enjoyed your publication for its hard-hitting investigative reporting and incisive analyses, it was only recently that I realized how really powerful your commentary can be. Imagine: A front-cover story on "Smokey Joe" Califano, by the inimitable Nick von Hoffman, and within a month, Smokey Joe's butt is canned. Astounding.

Might I suggest you have von Hoffman start work on a cover story concerning Congress and the Presidency?

ROSS LEVATTER
Cincinnati, Ohio

Weed

JEFF RIGGENBACH'S REVIEW of *Reefer Madness* [Apr. 2, 1979] was a provocative and yet commonsense reminder of how U.S. policy towards marijuana was assiduously nurtured through the propaganda of hysteria and deliberate falsification. I would concur with Riggenbach's estimation that despite the entertainment use by millions of voting-age taxpayers, marijuana legalization remains improbable.

JAMES K. DADY
Buffalo, N.Y.

Two tyrants

SO, JULIUS NYERERE, PRESI- dent of Tanzania, is a "hypocrite" and (impliedly) a "tyrant," too [Editorial, May 14, 1979]? If it's true, then why is it so suddenly devastating to African harmony when "a leader of Nyerere's stature" engages in war?—it would seem only too proper!

The reality of the Ugandan invasion, and a point totally missed by your myopic editorial, is that any other invading nation would have done the job in five bloody days rather than spend five months finessing one of the more desperately needed ousters of our time.

And further shame on you, *INQUIRY*, for so misreading the situation. Nyerere gave asylum to Milton Obote when his uneasy government was unseated by Idi Amin Dada, and yet the Tanzanians did not reinstate him, but left the choice of the new government up to Ugandan exiles.

No war is ideal, but the high degree of civility displayed by Tanzania in deferring as much as possible to Ugandan self-determination ranks this war, in my opinion, among the least intolerable in human history. To date, I suggest, we owe Nyerere more, not less, respect for the way he is treating his neighbor.

LOUIS B. CURRAN
Baltimore, Md.

In defense of teachers

PHIL STANFORD'S COLUMN ["Paying off the Teachers," May 14, 1979] is hardly descriptive of the nation's teachers' attempt to "turn the country around," to correct the American distrust of intellectualism. Stanford could find more suitable whipping boys/girls than the members of the National Education Association! I was an *NEA* delegate to the Democratic Convention in 1976 and was favorably impressed with the quality and dedication of the *NEA* leadership.

On all sides, we hear people moaning about Johnny not being able to read or write. Practically unanimous is the conviction that the property tax is no way to get adequate financing for schools. Pointing to percentages of teachers and children declining or expanding is juggling figures; the teacher-pupil ratio is more meaningful and would not be ideal even if thousands of teachers had not been pink-slipped.

At last teachers are aware that power and influence are indispensable in present-day American society. For too long they were second-class citizens, a kind of middle-class servant. Stanford should realize that teachers are taxpaying consumers just like everyone else, and that we are probably more concerned about government bureaucracy and waste than is the average citizen.

ELIZABETH WEIDEMAN
Dearborn, Mich.

The shrinking dollar

THE ARTICLE ON INFLATION by John Hess ["What the press doesn't know about inflation," May 14, 1979] was truly a relief from all the nonsensical rhetoric presently being bombarded at the public by the media and politicians alike. The only cause of inflation is deficit spending. Of course there are many ramifications and effects, but the real cause lies with the printing presses at the Treasury Department.

J. ALMBLAD
Portland, Ore.

With this issue, INQUIRY resumes its regular semi-monthly schedule.

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BREAD & CIRCUSES

PHIL STANFORD

Carter's final meltdown

THE WASHINGTON SUMMER has descended, dripping with hot smog and the nervous sweat of politicians running for the next higher office. Fans and air conditioning offer some relief from the weather, but there is nothing to be done about the overheated ambitions of those who call themselves our public servants. As the presidential campaign approaches, they are like rats on ritalin. There is not a one of them who does not believe that given the breaks, he or she could be elected President of these United States. And why not?

In this sense, Carter has been an inspiration to every man and woman among them. If Carter could be elected—without clear qualifications for the job, without an identifiable program, and with no natural constituency except the chronically sentimental—anybody is presidential timber. Moreover, Carter seems in the process of removing himself as a serious threat for reelection. Not only has he done nothing, but he has done it badly. It is as if someone has turned off his political air conditioning and he has melted in the Washington heat. Very soon, no one will be seriously interested in the soggy mass that remains.

When we look back, several months from now, it will be evident that Carter's final meltdown should be dated from his much-ballyhooed speech of July 15. This, of course, was the speech that was supposed to have reversed his declining popularity in the polls and rescued his presidency, as they say in Washington, in time for the 1980 campaign. Instead, it probably had the opposite effect. In the end, it succeeded only in confirming the public's lack of confidence in the man they elected by demonstrating that in extremis—not just Carter's but the public's as well—Carter could do no better than resort to the basest sort of political manipulation.

When Carter returned from the Far East in early July he knew he was in deep political trouble. Stuart Eizenstat, Carter's chief domestic adviser, had described the situation to him in a confidential memorandum published almost immediately in the *Washington Post*. Eizenstat mentioned the gas lines, rising inflation, the new recession: "I do not need to detail for you the political damage we are suffering from all of this," he wrote, going right to the heart of the matter. "The polls are lower than they have ever been." According to the Harris poll, which Eizenstat referred to, the President's approval rating had dropped to 25 percent, lower even than Nixon's during Watergate. The same Harris poll showed Carter trailing two likely Republican opponents, Ronald Reagan and Senator Howard Baker, and barely leading John Connally. Worse still, warned Eizenstat, "Kennedy's popularity appears to be at a peak."

So advised by Eizenstat and others on the White House payroll (let us not forget that Eizenstat is considered one of the "less politically oriented" members of the inner circle), Carter cancelled a speech he was scheduled to give on the energy crisis and went into seclusion at Camp David. He remained there ten days, receiving visitors for what was billed as a "domestic summit conference," and working on a speech. And on Sunday, just as the *Washington Post* was about to bust a gut over the drama of it all, he returned to address a national television audience.

And what did the President say?

The problem, said the President, is that we are suffering from a "crisis of confidence." Confidence in whom? In Carter? Apparently the President didn't consider this possibility important enough to mention. It is, he said, a crisis of confidence in ourselves, both individually (in the "meaning of our lives") and collectively (in our "purpose as a nation"). People have lost faith, said the President, "not only in government itself, but in their ability as citizens to serve as the ultimate rulers and shapers of our democracy."

As a matter of fact, said the President, we are suffering from a spiritual crisis. "The symptoms of this crisis of the American spirit," he said, "are all around us. . . . Two-thirds of our people do not even vote. . . . There is a growing disrespect for government, and for churches, schools, the news media and other institutions. . . . The gap between our citizens and our government has never been so wide."

"What can we do?" the President asked. "First of all," he answered, "we must change our course. We simply must have faith in each other, faith in our ability to govern ourselves, and faith in the future. Restoring that faith and confidence to America is now the most important task we face—it is the true challenge of this generation of Americans."

And how can we restore our confidence in ourselves and our faith in the future? The President had an answer for that too: Support his energy program. Doing so will "help us conquer the crisis of spirit in our country. It can rekindle our sense of unity, our confidence in our future, and give us a new sense of purpose." Surely, this must rank with the strangest reasons ever advanced for adopting any major government program, ever. However, it becomes understandable once we arrive at the concluding paragraphs of the speech.

"I do not promise a quick way out of our nation's problems," said Carter. "What I do promise is that I will lead our fight. I will enforce fairness in our struggle, I will ensure honesty—and above all, I will act." "I will act," he says once again. "We will act together."

"In closing, let me say this: I will do my best, but I will not do it alone. . . . Let us commit ourselves together to a rebirth of the American spirit. Working together, with our common faith, we cannot fail."

TO SAY THAT THIS SPEECH is disingenuous is to dignify it. It is, even by Washington standards, a particularly sleazy bit of work—straight out of the world of modern big-time advertising. This is precisely the way the television hucksters go about peddling mouthwashes, cosmetics, toothpaste, soap, and any number of other virtually interchangeable products: Find some deeply felt need, and then by a process of verbal or visual

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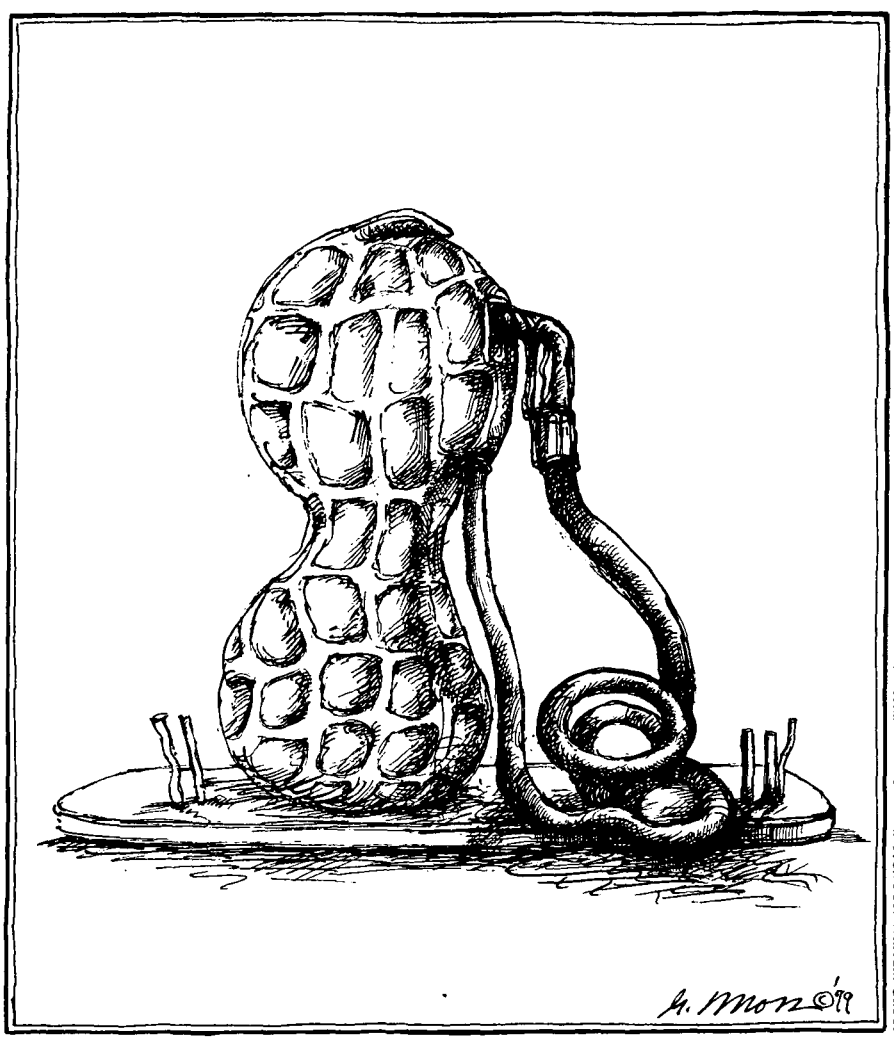
association, identify the product with the fulfillment of that need. Are you lonely and unloved? Maybe it's bad breath. People don't like bad breath, you know. Popular people use Scope. Why don't you use Scope and put some romance in your life. The only real difference here is that the product being sold is not a mouthwash but Carter himself.

Of course, the speech was presented as a call for national unity and the support of Carter's energy program. However, it is unlikely that anyone besides a few members of the Washington press corps—who are, after all, paid to take the politicians seriously—was really fooled. As usual, the most willingly fooled was Martin Schramm, who covers the White House for the *Washington Post* as if he were trying out for poet laureate. Schramm hailed the speech as the beginning of the "rebirth of the Carter presidency." It was, he said, a speech of "extraordinary candor, with unabashed self-criticism." Not only had the President delivered the speech with unaccustomed boldness and confidence, but it provided evidence that Carter had come to a better understanding of the problems facing the nation. " 'The president began to understand,' " said Schramm, quoting an unnamed presidential adviser, " 'that the crisis at hand is not limited to a political crisis, but is a leadership crisis.' " "Carter found it on the mountaintop," said Schramm, now apparently on his own. "He found it not just from listening to invited guests tell him what was wrong, but from long walks in the woods. . . ." David Halberstam couldn't have said it better.

If you can fool only 9 percent, you have not done very well.

With the exception of Schramm, however, it was difficult to find suckers. Polls taken immediately after the speech showed a rise of 9 percent in Carter's approval rating. Administration spokesmen found this a cause for celebration, but the fact is that if you can fool only 9 percent of the population on any given issue you haven't done too well. And even these gains were dissipated by the empty chaos created the next week when Carter set about proving his leadership abilities by firing half his cabinet.

To this day, Carter and his advisers are probably puzzled about what went wrong. After all, they had used the same basic pitch so many times before, and with such success. It had even gotten Carter elected. Lost your faith in government? Feeling powerless to determine your future? I'm an outsider, I understand. Trust me, and I will give you a government as good and decent as its people. The July 15 speech was simply version number eighty-seven. As Mary McGrory, the *Washington Star* columnist, noted, "The address was a seamless garment. If we solve our energy problem, we will solve our spiritual problem. And, obviously, if we regain our faith in ourselves, we will regain faith in him." That is the way the speech was intended to work. The only really new twist was the way Carter tried to identify the public's demonstrable loss of confidence in him with a "crisis of the American spirit." However, that was so tricky it made the rest of the speech transparent. It exposed, finally, the lengths to which he would go to traffic once again in the discontents of the American people.



GEOFFREY MOSS ©WASHINGTON POST WRITERS GROUP

It is undeniably true that the American people have a low regard for all the major institutions of this country, but especially for the federal government. They are, to use a word that Carter didn't, profoundly alienated. In his speech, Carter even showed that he understood exactly why the public feels as it does. "The American people are looking for honest answers, not easy answers—clear leadership, not false claims, evasiveness and politics as usual." Yet what he offered them in this very speech was evasiveness and politics as usual. It is perhaps the final measure of this man's cynicism that he would use the public's alienation for his own political ends.

People catch on. At this point, there is only one question about Carter's chances for reelection that is still relevant: Would you buy a used mouthwash from this man? ❏

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NAT HENTOFF

Libel law: New thorns in the thicket

HE IS THE HEAD OF A large book publishing firm and has battled mightily, if unsuccessfully, against government attempts to censor one of his authors and punish another after a book had been released. In years past, moreover, he has strongly supported, with expensive legal talent, those of his writers whose books were banished from school or town libraries.

I was surprised, therefore, to hear not long ago that he had refused to fight for an author who was being threatened—along with the publishing firm—with a huge libel suit if a certain chapter were not removed from a forthcoming book. A public figure, fiercely concerned with her "image," considered that the chapter had libeled her, and she had the resources to pursue a court action. The author of the book was finally told that if she did not excise the chapter, the book would not be published at that house. The author succumbed.

Several months later, at a board meeting of a group concerned with freedom of expression—of which the head of the publishing firm and I are members—I asked him about his having approved the censoring of the offending chapter. He was embarrassed, and finally said, "Look, legal expenses have become one of our major costs, and they keep going up. I recently hired yet another libel lawyer. When this particular furor got going, we were already engaged in quite a number of libel suits, and my reaction was that this would be one too many. As you can see, I don't feel comfortable about that decision, but I'm in business to publish books, not to litigate all the time."

The problem of the escalation of libel suits is hardly limited to that one firm. Irwin Karp, counsel to the Authors Guild, notes that the number and expense of such court actions keep rising at practically all publishing firms. What has not changed is that the standard indemnity clause in book contracts still requires—in the event of a libel suit—that the *author* pay all or part of the *publisher's* expenses and attorneys' fees as well as judgments awarded against the *publisher*. Furthermore, nearly every indemnity clause mandates that even if a court decides the book is not libelous, the author must nonetheless pay the publisher's expenses and attorneys' fees.

That being the case, why do book publishers fear libel suits as much as they do? Because they know precisely how much authors get paid, and that long before the end of the libel suit, the author may well be bankrupt but the publisher will still have to keep on defending himself. The publisher does try to make sure, however, that the author is unable to deflect any funds along the way—like, to live on. It is the practice in this gentlemanly business for a publisher to withhold an author's royalties until a libel suit is resolved.

Accordingly, it is not surprising, as Irwin Karp notes, that the specter of libel suits can create self-censorship. An author knows, after all, that even if the suit is eventually found to be without merit, he'll be hit with heavy expenses. Furthermore, Karp continues, some libel actions are brought *only* with the intent to punish. If a complainant has sufficient funds, he will be satisfied, even if he doesn't win, to know that he has wiped out the author.

IN ITS LAST TERM, THE Supreme Court had already significantly increased the prospect of libel suits by its *Herbert* v. *Lando* decision allowing public figures to ask "state of mind" questions in defamation actions. As Justice Potter Stewart said, dissenting in that case, the fearful tendency toward self-censorship on the part of the press (including book writers and publishers) will now be intensified "so long as any plaintiff with a deep pocket . . . is afforded unconstrained discovery of the editorial process." (Days and weeks of pretrial interrogatories on why certain information was printed and certain other information was not.)

Then, at the end of the term, in a decision that received only a fraction of the attention given *Herbert* v. *Lando,* the Supreme Court further encouraged the filing of libel actions—much more so than in the *Herbert* decision. Commenting on the later case, *Wolston* v. *Reader's Digest Association, Inc.,* the Reporters Committee for Freedom of the Press predicted that the ruling will greatly "encourage harassing libel suits and will discourage publishing news about public events."

In 1957–58, Ilya Wolston was summoned to appear before a grand jury investigating Soviet espionage agents in the United States. On one occasion, he did not show up. Eventually he pleaded guilty to a charge of criminal contempt of court and received a suspended sentence. He was never, however, indicted for espionage.

In 1974, the Reader's Digest Association published *KGB: The Secret Work of Soviet Secret Agents* by John Barron. The only reference to Wolston in the book was in a list of "Soviet agents identified in the United States." That list was based on an erroneous FBI document published in 1960.

Wolston sued for libel and lost twice in the lower courts, which held that he was a public figure because, by failing to appear before the grand jury and making himself liable to a contempt citation, he "became involved in a controversy of a decidely public nature in a way that invited attention and comment, and thereby created in the public an interest in knowing about his connection with espionage." And indeed, the press had paid considerable attention to Wolston at the time.

Denying his designation as a public figure was crucial to Wolston's case. In 1964, in *New York Times Co.* v. *Sullivan,* the High Court, to encourage "wide open" debate on public issues, had made it much more difficult for public officials—and later public figures—to win libel suits. Anyone in those categories had to prove "actual malice" against the newspaper, broadcasting station, or book publisher being sued. That term means that the writer or broadcaster either knew the material was false or had gone ahead and disseminated it with reckless disregard as

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to whether it was true or false.

As the years went on, the Supreme Court had increasing difficulty making up its mind about the nature of a public figure. At one brief point, in *Rosenbloom* v. *Metromedia* (1971), a plurality of three moved somewhat toward Justice William O. Douglas's earlier position that it was bootless to worry about who was or was not a public figure. Douglas wanted to exempt from any threat of libel action all discussions of public affairs. Whatever was of interest to the general public—science, economics, business, art, literature, indeed anything that prompted media coverage—was "a public affair." And so, any writer or broadcaster dealing with public affairs should be protected against libel suits.

In *Metromedia*, the Supreme Court did not abolish the law of libel in this context, but it did say that the "actual malice" standard of *Times* v. *Sullivan* applied to anyone, including private persons, whose activities involved matters of public or general concern. Had this ruling held, the wide open debate called for in *Sullivan* would have been greatly buttressed.

In succeeding decisions, however, the Court increasingly narrowed the definition of "public figure."

In *Gertz* v. *Robert Welch* (1974), Justice Lewis Powell writing for the Court characterized public figures as "for the most part those who . . . have assumed especial prominence in the affairs of society. Some . . . are deemed public figures for all purposes." Or, "more commonly, those classed as public figures have thrust themselves to the forefront of particular public controversies in order to influence the resolution of the issues involved."

Yet, in *Time, Inc.* v. *Firestone* (1976), the Supreme Court ruled that a socially prominent woman involved in a particularly nasty divorce case was *not* a public figure even though, as dissenter Thurgood Marshall rather angrily noted, she had called press conferences during the divorce proceedings precisely in order to thrust herself into the forefront of that public controversy.

THEN CAME THE WOLSTON case. Having decreed that Wolston was a public figure, the lower courts said that he had no libel case at all because there was no evidence of actual malice. The author of the book had mentioned Wolston once, and even if the reference was a false one, it had been based on an FBI report. As a public figure, Wolston, to win damages, would have to prove that the author knew the FBI report was a lie or had recklessly disregarded the question of truth in printing what he did. There is a sound argument for questioning the basic intelligence of a writer who has faith in the FBI's accuracy, but actual malice is something else again.

But if Wolston were held not to be a public figure, at an eventual trial he might well win damages just by showing the author had acted carelessly with resultant harm to Wolston's reputation, economic potential, and mental state.

On June 27, 1979, the High Court ruled, 8 to 1, that Wolston is not a public figure. Yes, there was much press coverage of Ilya Wolston in 1958. But, said Justice William Rehnquist for the majority, he did not "voluntarily thrust" himself into the news. Yes, Wolston's refusal to appear before the grand jury and his resultant citation for criminal contempt of court were news. But, "a private individual is not automatically transformed into a public figure just by becoming involved in . . . a matter that attracts public attention. . . . A libel defendant must show more than mere newsworthiness to justify application of the demanding burden" of the "actual malice" standard. And to nail it down, Rehnquist denied that "any person who engages in criminal conduct automatically becomes a public figure for purposes of comment . . . on issues relating to his conviction."

In a concurring opinion, Justice Blackmun, joined by Justice Marshall, lamented that the Court had come to so restrictive a definition of "public figure." The Court, Blackmun said, seems to hold "that a person becomes a limited-issue public figure only if he literally or figuratively 'mounts a rostrum' to advocate a particular view." Then why did Blackmun agree with the majority? Because, he said, the lapse of sixteen years between the public attention Wolston received and the appearance of the book meant that Wolston was no longer a public figure when the book was published.

The High Court has been having trouble deciding who is a public figure and why it matters.

Embedded in that concurring opinion is a warning to scholars. "This analysis implies, of course," says Blackmun, "that one may be a public figure for purposes of contemporaneous reporting of a controversial event, yet not be a public figure for purposes of historical commentary on the same occurrences. Historians, consequently, may well run a greater risk of liability for defamation" (The Herodotus Liability Clause).

The lone dissenter, Justice Brennan, said briefly, though vehemently, that Ilya Wolston was a public figure both in 1958 and in 1974. And he quoted the opinion of the Court of Appeals: "The issue of Soviet espionage in 1958 and of Wolston's involvement in that operation continues to be a legitimate topic of debate today, for that matter concerns the security of the United States."

Potentially, the significance of the *Wolston* decision could be, as one newspaper executive put it, "a disaster" for the press. Or, if not catastrophic, quite perilous. If a public figure is only someone who voluntarily thrusts himself into the news, all kinds of nonthrusting newsworthy subjects who feel aggrieved at their treatment by the press will now be able to retaliate—if they have deep enough pockets—through libel suits.

First Amendment lawyer Floyd Abrams, who lost the *Herbert* case before the Supreme Court, says of this new invitation to let thousands of libel suits bloom: "One wonders about Mafia coverage, about coverage of others in organized or unorganized crime. Can it be that they are not public figures?" And *Time* magazine drew the inescapable conclusion: "The media now know that they must be more cautious, and readers and listeners will almost surely receive less detail about people they thought were in the news." In some cases, they will receive no details at all.

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BACK IN 1971, IN METROmedia, Justice Brennan showed the Court a path through the brambles of libel law that would have avoided all the decisions that have since constricted the First Amendment right to receive, as well as publish, news. Brennan said:

"If a matter is a subject of public or general interest, it cannot suddenly become less so merely because a private individual is involved, or because in some sense the individual did not 'voluntarily' choose to become involved. The public's primary interest is in the event. . . . We honor the commitment to robust debate on public issues . . . by extending constitutional protection to all discussion and communication involving matters of public or general concern, without regard to whether the persons involved are famous or anonymous."

The High Court soon retreated from that view, and now, after *Wolston,* the "actual malice" standard, while still applying to public officials, can no longer be a shield to all but a relatively few public figures. With *Herbert* added to *Wolston,* the Court's commitment to "robust debate" is, to be charitable, suspect. And, since the *Herbert* majority was 6 to 3, and that in *Wolston* 8 to 1, the prospects for relief from *this* Court are distant indeed.

Clearly, these decisions will further enlarge the editorial powers of lawyers at newspapers, broadcast stations, magazines, and book firms. I know a number of them, and most are reasonably sensitive to writers' imperatives, as well as to what the First Amendment *says.* But this Court's words obviously have more weight, and any lawyer's primary responsibility is to the client: the owners of the various media. Therefore, he must be overcareful now to try to avoid libel suits, both those brought by people who genuinely feel themselves defamed and also those actions filed to harass and to bleed the defendant.

Even the most fearless muckraking editors, moreover, are ultimately under the control of the lawyers. An editor who overrules a libel lawyer, with the result that the paper suffers a substantial imposition of damages, is hardly likely to keep his job. And reporters, as they continue to find their copy diluted in fear of libel actions, will soon enough know how and when to censor themselves before they file anything at all.

Somehow, this state of affairs does not seem to be what the framers of the First Amendment had in mind.

POLITICS

BARRY LYNN

The fight against the draft

DUANE SHANK, DIRECTOR of the national Committee Against Registration and the Draft, says Canadian news reporters have started calling his office. According to Shank, their last question is now predictable: "Can we expect large numbers of young Americans moving north?"

For much of the spring and summer, as Congress quietly moved forward on reinstituting mandatory draft registration, lawmakers seemed hell-bent on making sure that Shank's answer would be yes. Though legislators who favor the draft decided early on that resuming inductions would be politically precipitous, they expected that passing "mere" registration would be no problem.

What Congress probably did not expect was the enormous outpouring of opposition to what John Stennis, chairman of the Senate Armed Services Committee, labels "the simple idea of registering young people." After all, registration was allegedly popular: Seventy-six percent of Americans approved the idea when pollster George Gallup (somewhat begging an important issue) asked in March, "Would you favor the registration of the names of all young men so that in the event of an emergency the time needed to call up men would be reduced?" But as the registration measures have moved through Congress, popular opposition to the draft has grown steadily.

In March, when the House Armed Services Military Personnel Subcommittee held hearings on the "mobilization capacity of the Selective Service System" (read: "the draft") a few anti-draft witnesses were grudgingly allowed to appear. These civil libertarians, church activists, and students let the Congress know that there would be extensive and literal resistance to any steps toward the draft. Committee members responded that they were sure young people "were patriotic" and would faithfully comply. Apparently, though, these same young patriots could not be counted on to volunteer in an emergency; they would have to be registered, then drafted in advance.

Throughout the spring, a group called Students for a Libertarian Society (SLS), then relatively unknown, started to put teeth into the threat of resistance. Campus leaders announced at public press conferences in twenty cities that they would refuse to comply with mandatory registration.

To help blunt this burgeoning movement, the full House Armed Services Committee decided to take the unprecedented step of attaching a draft-registration provision to the Defense Department procurement bill, the $42 billion vehicle for authorizing hardware expenditures and setting troop levels. This avoided the possibility of having a separate draft-registration bill shunted indefinitely to the congressional back burner. A defense authorization is virtually guaranteed a vote in June, not coincidentally a time when colleges and high schools are in recess. This provision mandated registration of all males who turn eighteen on or after January 1, 1981.

Clever ideas are usually copied. Georgia Senator Sam Nunn, the Democratic kingpin of the drive to renew the draft (who undoubtedly picked up his hawkish tendencies during two grueling years in the coast guard) decided the Senate should have a full opportunity to attach registration to its authorization bill. After hearings called on one working day's notice, Nunn proceeded a few days later to "mark up" legislation. His manpower subcommittee held a closed session to draw up its plan to register all sixteen million men aged eighteen to twenty-six beginning January 2, 1980. An aide to Senator John Warner (R-Va.) told me, "If it [the session] is open we will have Soviet agents in the audience." The subcommittee delayed announcing the vote, only 4 to 3 in favor of registration, until approximately 3:30, just late enough to miss the evening news. Five days later, the full Armed Services Committee voted, 12 to 5, to send the measure to the floor. That vote occurred in a rare late-afternoon session, at 5:45; the

BARRY LYNN, legislative counsel for the Washington Office for Church and Society of the United Church of Christ, has been active in the campaign against the draft.

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session was opened to the public only when three CBS television cameras appeared. (Soviet agents probably leave work at 5:00, anyway.) The news of this vote was regrettably absent from the next morning's television news, poetically, bumped by film clips of actor John Wayne. Lack of coverage was obviously a boon for the senators, who, given the choice, would probably have held all discussions at Arlington Cemetery at midnight.

Two days after the committee action, Senator Nunn tried to hook his newly passed registration plan on to the Senate's defense authorization bill. A few antidraft senators had other plans, however. Late in the evening of June 12, Senator Mark Hatfield threatened to block consideration: "I am prepared to speak the rest of the night, if necessary. Let us bear in mind this is the first step back to the establishment of the draft." George McGovern warned that "when this issue does come to the Senate floor . . . it is going to be one of the most explosive issues we have examined here in a long time." To avoid a filibuster, Senate Majority Leader Robert Byrd persuaded Nunn not to introduce his pet measure by agreeing to place it on the Senate calendar as a separate bill after the House vote on the authorization bill. The Senate conferees on the defense authorization would then have a sense of their colleagues' sentiment on the registration idea.

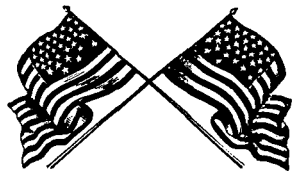
MANY ISSUES RELATED to peace have a rather narrow constituency, and not always a very active one. In the movements for amnesty or against the B-1 bomber, for example, organizers frequently had to plead with, preach to, and cajole people to get anything to happen at all. Not so with the draft. One hardly needed to organize against it at all. "The spontaneous grass-roots activity is staggering. Not only do we in Washington not direct people on what to do; we can barely keep up with what is happening around the country," says American Civil Liberties Union lobbyist David E. Landau. "Any media story on a step by Congress at any level was sure to generate letters, the vast majority being anti-draft." By late June, letter counters in the offices of some congressional moderates were noting that the mail opposing registration outnumbered that in favor by as much as a hundred to one.

The breadth and variety of antidraft tactics were dazzling. A local group in Columbia, Missouri, sent every 16-year-old in the city a letter explaining the upcoming House vote. It closed with the warning, "If you act now perhaps your relatives and friends will not have to grieve later." On the other end of the age spectrum, a woman in Chicago took petitions into nursing homes and pressed the question: "Do you want your grandchildren to fight another war?" In Oregon, politically sophisticated activists pushed a resolution through the state senate memorializing their congressional delegation to oppose registration. The resolution lost by only five votes in the other chamber.

Some chose tactics of the sixties. Tom O'Neal and colleagues at the Peace Center in Pittsburgh, Pennsylvania, staged an antidraft rally the same day as the huge antinuclear rally in Washington and still got over a thousand participants. Commented O'Neal: "We had seven buses of our most hard-core activists go to D.C. This was still the biggest demonstration on anything in Pittsburgh for the past five years." A sizable number of other local groups spontaneously called themselves Mothers Against the Draft, either out of a Jungian coincidence or because the acronym was just too powerful to pass up. When House Speaker Thomas O'Neill of Massachusetts told the press he favored registration, pickets arrived not only at his office and at Democratic fund-raisers, but even at his North Cambridge home.

Duane Shank, CARD director and himself a Vietnam-era resister, reflects that the antidraft movement of today has taken off with more fervor than that preceding the Gulf of Tonkin resolution and the Vietnam War. Students for a Libertarian Society has even had intensive training sessions in California in preparation for resistance tactics. Says Tom Palmer: "A lot of people are so committed to fighting the government and finishing off Selective Service, that they almost want the registration bill to pass." Students have heard about prison life and exile from the likes of David Harris and former *AMEX-Canada* editor and deserter Jack Colhoun. There is a still-vivid history the new generation of resisters can touch.

As the antidraft movement blossomed, more representatives found it possible to oppose the registration provisions. Floor action in the House was to be coordinated by a bipartisan core group who were to act as "whips" to convince their colleagues to support a motion to strike the Selective Service sections. Although this would appear a painfully obvious tactic, such organizations are only infrequently created. This group was assembled by Michigan's Bob Carr, but included a political spectrum ranging from Don Edwards of California, who has a 100 percent ADA rating, to conservative Republican Ron Paul of Texas. With varying degrees of enthusiasm, the members met for six weeks before the House vote. Eventually they latched onto a tactic that is frequently irresistible: delete an objectionable section (here registration), but mandate that a presidential commission



study it and report back in a few months (here, January of 1980).

One member of the group, Democrat Chris Dodd from Connecticut, announced plans to try to stop the bill in the Rules Committee. This committee must consider all legislation before it hits the House floor and determine how much time to devote to general debate and whether amendments will be permitted. A decade ago this powerful committee blocked many bills, but lately rules have been granted almost routinely. The defense bill was to prove an exception.

The first day the bill came up in the Rules Committee, one member after another told manpower subcommittee chairman Richard White of Texas, who was there as a witness to defend his provisions, how "unfortunate" it was that registration was attached to this vital defense bill. Several members spoke in favor of the draft but still expressed outrage over the tactic White had chosen. Asked if this method of "slipping registration in" would not alienate young people, White asserted he was "talking about national security, not sociology." Several members expressed doubt that a program scheduled to begin in 1981 could be immediately essential for national security. Accurately sensing trouble, White said perhaps the President would institute "voluntary registration" to limit opposition from potential registrants. That incredible comment went virtually unnoticed. Representative Carr later told the committee he was considering offering hundreds of amendments to the current Military Selective Service Act to make the system at least fairer than during the Vietnam era. The committee adjourned without a vote.

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ON JULY 17 THE RULES Committee met again to consider the authorization. Dodd formally proposed tabling the bill until the Armed Services Committee would agree to remove the explosive provision. Representative White was so irritated he left the room and let his staff counsel, Kim Wincup, watch the proceedings alone. Wincup looked ashen during the roll call vote when two Republicans voted to table. The vote was 7 to 6 until Florida's aging Claude Pepper, chairing that day, voted against the motion, defeating it with a tie. For weeks Pepper had promised to help stop the bill. In a letter to a friend he noted, "Due to the importance of this matter, I, along with several other members of the Rules Committee, think this subject should be presented in a separate bill." So much for promises.

Dodd was shaken by the setback but tried a similar motion in the full House just two days later. After an hour or so of spirited debate, the chair called for a vote and after hearing the "ayes" and "nays," announced that Dodd's motion had won. White, beet-red and furious, sweating so much that his glasses nearly fell off his nose, jumped up, objecting to the voice vote and demanding a roll call. Dodd's motion was defeated 219 to 158, but no one can remember a defense bill ever coming that close to being sent back to committee. Chairman Melvin Price of the Armed Services Committee reportedly told several colleagues that he was sorry the draft issue had ever come up, and implied that he did not plan to let it interfere with his authorizations in the future. There was, after all, still the specter of members attempting to rewrite the Selective Service Act on the House floor, taking up days of debate and delaying the scheduled August 3 recess.

Not so strangely, the Carter administration had been silent during the opening months of the draft debate. As individuals the Joint Chiefs of Staff had strongly endorsed registration. Army Secretary Clifford Alexander had been on record supporting registration, but by mid-May he told a delegation from the ACLU that he really meant "improved mobilization capacity," which might be possible without registration. Presidential adviser Stuart Eizenstat told me in May that the President did not have a position on registration because "no congressional committee has asked him for one." Eizenstat expressed great surprise that the Congress might force the President to begin registration in 1980 or 1981.

After the Senate subcommittee vote that mandated registration before the election, White House initiatives were stepped up considerably. A letter from Secretary of Defense Harold Brown was widely circulated in the Senate stating that "the critical step toward achieving our goals is not immediate collection of names through registration, but rather the immediate improvement of our ability to prepare for processing people, and in case of mobilization actually to process them, through the Selective Service System."

Robert Shuck, acting director of the Selective Service System, now contends that the $3 million increase for his system requested in the Carter budget would permit a one-day mass registration on the tenth day after mobilization. Shuck says that data on the two million 20-year-olds registered could be processed by computer within five days, and orders to report would be issued by the fifteenth day; the first fit draftees would be delivered by the thirtieth day after mobilization. This meets the most stringent timetable ever designed by the Defense Department. Although Senator Nunn told Shuck his plan was a "joke" that must have come to him "in his sleep," neither the senator nor anyone else has shown, with hard data, why this plan could not work. (On the contrary, the Congressional Budget Office maintains that the Selective Service, by matching social security and tax files, could locate 85 percent of eligible 20-year-old men and deliver draftees only twenty-five days after mobilization—more promptly than required.) Concluded the director of the Office for Management and Budget in a letter to key congressional leaders, "It is not necessary to impose this burden [registration] on our nation and its youth." Defense Department officials have been encouraged to elaborate on this anti-registration position with appropriate legislators.

It would be naive to believe, as some Carter officials contend, that the administration's sudden conversion has nothing to do with politics. Even though the impetus for resuming draft registration comes from congressional hawks, it is the executive branch that would bear the burden of forcing young men into the draft offices. Plainly, the surge of opposition to the draft came as a surprise to the President and his advisers. Its ultimate effect on the Congress, which will vote this month on registration for the draft, remains uncertain.

POLITICS

DONALD LAMBRO

Social security: Pay now, pay later

WITH ALL THE PIOUS rhetoric swirling about the social security system, no one seems able to summon forth the courage to say out loud what a few economists have now realized, namely, that for many young, middle- and upper-income Americans just entering the labor force, social security's retirement program is a rotten investment.

Certainly, for retired workers and those approaching retirement, social security remains a bargain. These workers have been taxed at the substantially lower rates of the past while their total future benefits have been raised far out of proportion to what they have contributed into the fund.

For example, a 25-year-old man who began work in 1937, when the program began, upon retirement in 1978 had paid in a maximum employee share of only $8728. Today, this worker is receiving a monthly benefit check of $459.80, or $5517.60 per year. At this rate he will recover his payments in less than 32 months—assuming they earned interest at the time they were taxed, at 5 percent per year compounded annually. If the worker is married with a spouse age 65 or older, his monthly check is $689.70, and it will take only twenty-one months to recoup his share of the social security tax plus the interest his money would have earned over forty years.

But most workers live considerably longer than these payments would allow. Today the rest of the retired worker's benefits come out of the earn-

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ings of the nation's current work force. This is why social security is anything but an insurance or pension scheme: It is the nation's largest welfare program.

The story is considerably different, however, for those just beginning their working lives. These workers—people who have been working for several years and those just getting started—will be paying vastly more in social security taxes than they can ever expect to recoup in pension benefits during their retirement years.

When social security's retirement provisions are examined it is clear the plan is an abysmal investment for young workers. They are finding, particularly this year, that sharply rising payroll taxes are expropriating bigger chunks of their weekly income. Under the tax rate hikes enacted by Congress in 1977, social security levies will eat up nearly 14 percent of all payrolls by 1987, compared with less than 2 percent in 1940. It is no wonder that today, among all federal, state, and local taxes, the bite of social security is second in size to that of the federal income tax.

On January 1, 1979, workers found that the maximum tax had shot up from $1,070.85 to $1,403.77. That is because the payroll tax rose this year from 6.05 percent to 6.15 percent and total wages subject to social security taxes went up from $17,700 to $22,900.

This sharp escalation, however, is only the beginning. Social security taxes as set by Congress are due to rise dramatically in the years ahead in order to finance expanded benefits for an ever increasing number of beneficiaries. By 1981 the maximum employee share of the tax will be $1975.05, compared to the $374.40 maximum that workers paid in 1970, and taxes for workers earning the maximum taxable income will nearly triple in the next decade.

Married working couples will be among the hardest hit in terms of their total tax bite. For a couple, each earning $17,700, the combined social security tax last year was $2,141. Their employers' matching tax payments, which after all are paid on their behalf, pushed their annual total to $4,283. Allowing salary increases of 6 percent, the couple's annual social security taxes in three years will climb to $2,803. By 1981, their total employer-employee tax will be $5,607 per year.

Each year the social security fund receives nearly $112 billion from 110 million workers. And each month it sends out almost $5 billion in checks to 21.5 million retirees, $1.5 billion for 7.6 million widows and children, and $900 million for 4.8 million disabled. It also pays out an average of $1.4 billion per month in medicare payments to 9.6 million recipients.

*A RELATIVELY SMALL NUM*ber of economists have finally begun to question the program's true value as a retirement plan for moderate- and upper-income Americans in the years ahead. Is social security a good buy for these and other Americans? Jodie Allen, once an analyst for a Washington economic research firm and now a top assistant to Labor Secretary Ray Marshall, is one of the few to have spoken frankly about it: "Social Security is no longer as good a buy as it once was for the average, relatively well-paid worker," she said. "Anyone who can legally do so," she added, "will do well to opt for his own private system of retirement benefits."

But the option of staying out of social security is available only to people who work for the government—like members of Congress and federal civilian workers—and for those who are privileged enough to work for nonprofit organizations.

State and local governments also are able to withdraw from social security, and since 1970 more than 477 separate groups have taken themselves out of the system. Another 284 municipalities have given notice of their intention to withdraw.

San Jose, California, is one community that has withdrawn and has added benefits to its own pension plan which, a city official said, "provides better benefits than by continuing in social security."

Figuring out whether the social security retirement component is a good buy in and of itself, depends largely upon whether an employee counts his employer's matching tax share when computing the overall return on his or her "investment."

Robert Myers, formerly chief actuary for the Social Security Administration, believes strongly that it is "dead wrong" to include the employer's share because, he says, that money "should be considered as being pooled for the general benefit of all covered workers in the system."

Most economists, however, disagree. Rudolph Penner, director of tax policy studies at the American Enterprise Institute, correctly argues that the employer's matching share is paid on the worker's behalf and that some share of it, if not all, must be considered payment in lieu of wages. In other words, both the employer's and the employee's total contributions, i.e., taxes, must be combined when measuring the program's actual value in terms of a real return on one's total lifetime investment.

Even figures compiled by the social security system's own actuaries indicate that the program is not a good buy for a single male worker, age 22, who entered the labor force in 1978 and who always earns at least the maximum wage base on which the payroll tax is levied. Using their figures, the present value of that individual's benefits upon retirement as projected for the year 2022—assuming he survives fifteen more years—will only be 35 percent of the present value of the social security taxes paid by him and by his employer on his behalf during his working life.

A 22-year-old "low earner" (earning around $4300 in 1978) who remains unmarried throughout his working life fares somewhat better—the comparable figure is 73 percent—but he is far from breaking even on his tax contributions.

Retirement benefits are not insurance; they are one big welfare program.

One of the great tragedies of the entire social security debate is that few Americans take the time to figure out how much money they will be paying into the system and what that money might have earned if invested over their working life. The sums could be enormous.

*CONSIDER TWO HYPOTHET*ical wage earners, both age 21, each beginning work in 1978. The first person starts out at $20,000 a year. The second begins at $30,000 a year. Both receive 6 percent salary increases each year. Each would retire at age 65 in the year 2022.

(While the starting salaries may seem high, incomes within this range are not uncommon for college graduates in the physical sciences and the professions, nor for many blue-collar workers. Postal clerks are now earning close to $20,000 a year. Construction and auto workers can earn far more. The $30,000 level was chosen to illustrate the fullest bite

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possible under the maximum social security tax rates workers will face in the coming years.)

The computations for these hypothetical cases were made by Myers, who based his figures solely on that portion of the tax that funds social security's retirement benefits; they do not include that portion of the deduction used to fund disability and health insurance. The exercise compares the benefits a retiree expects to receive from social security with those he would get if the same amount of money were put into a savings or similar investment account paying 7.75 percent compound interest. Both cases were also based on the assumption that the interest would be tax-free, as it is now on certain types of individually financed retirement plans.

Although the monthly benefit projected in the year 2022 appears enormous, inflation and the dollar devaluation it reflects will have substantially destroyed any significant improvement in buying power. Here's what the figures show:

The $20,000 earner will get a monthly social security pension of $6,209 upon his retirement, but if the $209,255 he will end up paying in taxes over his working life had gone instead into a savings plan, he would have retired with a personal estate of $891,229. Such is the power of compound interest. Assuming an additional fifteen years of life, the value of his benefits will be 98.8 percent of taxes paid—just about a break-even proposition.

If this worker, at age 65, were to take just his own invested payments and buy a life insurance annuity, one that leaves no money after death, he would get a yearly income of $90,030 for life, $15,522 per year more than social security income would provide.

The $30,000 earner, who will receive a monthly social security benefit of $6,905, would have seen his $244,145 in taxes grow to over $1.036 million if he had been allowed to put his money into an interest-bearing account during his working years. The present value of his benefits-to-taxes figures out to 94.4 percent, however, also close to a break-even point. If this worker bought the same type of annuity with his invested payments, at retirement he would receive an annual income of $104,714, or $21,854 more per year than social security would pay.

The percentage of benefits to taxes paid is based on just the employees' tax share. When their employers' share of payroll is included, however, the value of the benefits-to-taxes plunges to 49.4 percent and 47.2 percent respectively—turning their "investment" into a very bad buy indeed.

CRITICS OF ANY PROPOSED change to a retirement-investment plan may argue that such wage earners are still better off with social security because the pension will regularly keep pace with inflation and an annuity will not. But the beneficiary would have to wait for the increases to match what his annuity would pay him immediately upon retirement, assuming he lives that long. Far more important, however, the investment approach leaves the beneficiary with a sizable estate, which social security does not. Such an estate can be used to purchase an annuity or some other retirement-investment plan, or the retiree could simply spend part of his accumulated estate for his own personal needs and invest the remainder in some income-producing plan.

Our two hypothetical examples are not unique. Other studies measuring what is termed "net Social Security wealth" (the present value of benefits retirees will receive at age 65) conclude that it will be negative for most young wage earners.

Who will be among the losers? Harvard economists Martin Feldstein and Anthony Pellechio say that the net social security wealth is negative for families whose wage earners now range in age from 25 to 34. These people can expect to pay more in social security taxes than they will receive in benefits.

"If the current relation between benefits and taxes were to remain unchanged," they said, in an analysis for the American Enterprise Institute, "each new generation would find that its initial net Social Security wealth was negative.... Each generation would pay taxes with a greater present value than the benefits it received."

The Harvard economists said that of 150 million Americans 18 years of age or older, about 50 million have negative net social security wealth. Older people have a positive net social security wealth "because they are closer to receiving benefits and have fewer taxpaying years left."

In another study, June O'Neill, a Congressional Budget Office economist, sets the real rate of return, adjusted for inflation, for those now entering the system at between 1 percent and 2.2 percent for married couples, with a negative return for single men.

In a paper presented to the American Economic Association, O'Neill said the rate of return on social security investment over the long haul "is expected to fall below 2 percent in real terms for workers retiring over the next 75 years." Her figures are based solely on the retirement tax plus survivors' benefits.

For those with more education who can expect higher earnings, the rate of return will be lower—in some cases negative—according to Social Security economist Dean Leimer in a study presented to the Western Economics Association. Leimer's projection for a person born in 1965 and reaching retirement by the year 2030 shows a rate of return adjusted for inflation of approximately minus 1 percent for college-educated married couples. For couples with an eighth grade education, he calculates a rate of return of plus 1.4 percent.

Thus, for many members of the next generation of retirees, social security "is no longer a good buy," as Allen restated in an interview. "You have to ask yourself," she said, "why federal workers don't want into this system."

ALL OF THIS TELLS US that social security's retirement program is becoming an increasingly bad deal for the nation's young. And as the birthrate continues to fall and longevity grows, this deal will grow worse. Greater amounts of income will have to be taken from a shrinking base of workers to support an expanding number of retirees.

Meanwhile, our two hypothetical cases focus attention on an irresistible but unfortunately long-ignored feature intrinsic to most retirement-investment plans: namely, the accumulation of a substantial estate during one's career, an estate that can be used to purchase retirement income or be left to one's heirs. This can be done even on a relatively moderate income.

Establishment circles have been able to dismiss out of hand every proposal that would allow optional modifications according to some "investment" formula. Such highhandedness would not be possible if the public were aware of these alternatives and their implications. If people understood that they could achieve greater wealth if they were able to invest their social security contributions—perhaps grandfathering in everyone who prefers the present program and giving only new workers the option to invest—there is every reason to believe that most Americans would enthusiastically embrace the opportunity. ❑

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"This book is a time bomb!"

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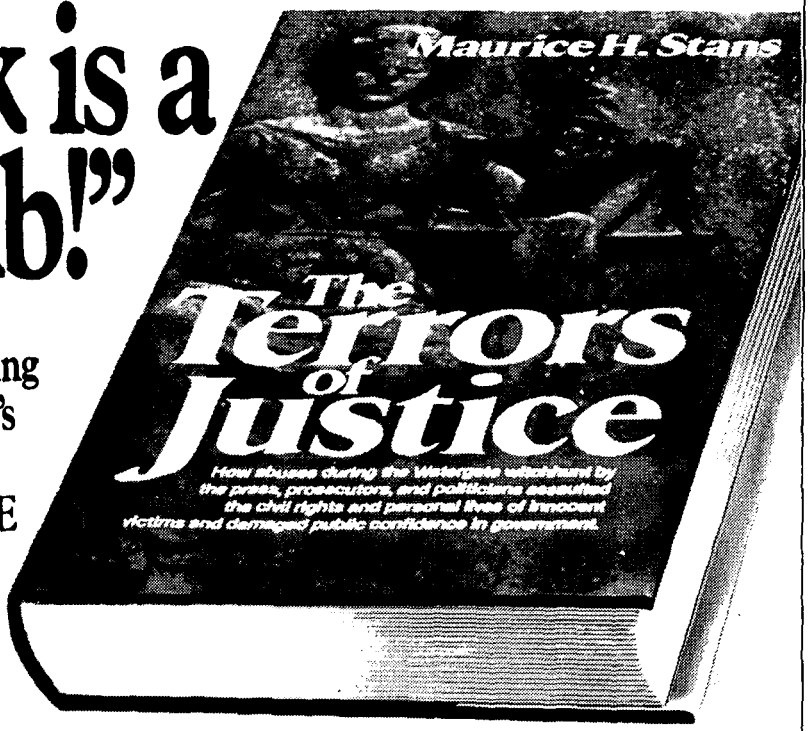

"Someday, perhaps five or ten years from now, a brilliant, iconoclastic graduate student in American history is going to come across Maurice Stans' *The Terrors of Justice* in the library stacks. Curious, since his professors have never mentioned the book, he will take it out of the library and return to his room. There, throughout the night, he will read it, fascinated, appalled by what he is reading, incredulous.

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"Until now all we have had as source material for Watergate have been polemics, diatribes, confessions, self-congratulatory memoirs of those who prosecuted the Watergate figures, Hollywood good-guy vs. bad-guy extravaganzas in the movies and on television, and born-again reflections on former Nixon aides...

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"His story reads as if *Les Miserables,* with its tale of prosecutorial zeal gone berserk, was retold by Kafka. It is a modern horror story, all the more gripping because it could happen to anyone, any time the media and the liberals decide that the usual rules of fair play should no longer apply...

"Stans attempts to give, in specific and at times excruciating detail the 'other side' of the Watergate story...and the sordid and all but incredible perversions of our system of justice by public officials.

"This is a book to buy and keep and when the time is right, to give to one's children...[It] may or may not say anything new about Richard Nixon or the other Watergate figures we know so much about. But it will tell of a *reign of media and government terror unparalleled in American history,* shamefully ignored by those who are self-proclaimed lovers and defenders of civil liberties...

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ISRAEL: BIBLICAL DESTINY OR PEACE

While Begin digs in on the West Bank, he faces stiff opposition from Gush Emunim, a growing peace movement, and the United States.

SHORTLY AFTER TAKING OFFICE IN May 1977, Prime Minister Menachem Begin appeared at the Israeli settlement of Elon Moreh. Clasping a Torah firmly to his chest, he promised the settlers that there would be many more Elon Morehs during his administration. Founded by members of Gush Emunim, the religio-nationalist group that seeks annexation of the West Bank as a step toward fulfillment of Biblical prophecy and Israel's historic destiny, the settlement had been a major source of controversy and crisis for the previous Rabin government. After eight illegal attempts, Gush Emunim won an important victory when the Labor government, despite its reluctance to establish Jewish settlements near Arab population centers, finally agreed in June 1976 to let the settlers plant themselves next to the Kadum army base.

Elon Moreh has prospered in the two years of Begin's incumbency. The settlement, about an hour's drive from Jerusalem and ten minutes from the Arab city of Nablus, has a well-manicured look. Flowers deck each doorway. Wells have been dug, electric lines hung, and telephones installed. The squatters' shacks have been replaced by prefabricated asbestos cubes provided by the Housing Authority. Thanks to an infusion of government funds, a number of cottage industries have been developed including an electronics firm that makes portable telephones, a tropical plants farm, and a company that makes ultraviolet bug killers. There is a school for the children, a clinic for the sick, and one member is drawing up plans for a Land of Israel Academy to serve as Gush Emunim's ideological training center.

The settlement has been so successful that, like an amoeba, it is reproducing itself. Three months after signing a treaty with Egypt, the Begin government authorized the establishment of a new Elon Moreh, closer to the original Biblical site the settlers first intended to occupy, on land owned by an Arab farmer. The five hundred settlers who live there have changed the name of their home to Kadummim.

The Israeli government's decision has sparked a crisis of international proportions, like the fracas over the original Elon Moreh. Those who support the new settlement, including Gush Emunim's man in the cabinet, Agriculture Minister Ariel Sharon, argue that it is vital to Israel's security. They point to a recent High Court ruling that allows the military government to expropriate privately owned Arab lands for Jewish settlements that add to Israeli security, which the military government is mandated to provide.

Opponents of the settlements, including Israeli liberals and Arab residents of the West Bank, have secured an injunction temporarily restraining the expropriation. Backed up by testimony from generals such as former Chief of Staff Chaim Bar-Lev, they deny that the settlement adds to Israel's security; indeed, they say, this security is threatened by provoking Arab residents who fear that Israel intends to take all their lands, and by embarrassing the badly isolated Egyptians. Forty thousand demonstrators in Tel Aviv's central square recently protested the new settlement. Their signs read, "Give peace a chance" and "Gush Emunim is strangling the peace." Denouncing Begin's "hysterical dreams and hallucinations," one prominent writer and educator told the assembled crowd, "We are not protesting one Elon Moreh, but the whole policy of occupation, eviction, and coercion."

But Begin was not moved. Speaking at a celebration of his Likud party's forty years of settlement activity, he repeated his 1977 promise: "There will be more Elon Morehs. We shall continue to establish new settlements in Judea and Samaria [the Biblical names for the former Jordanian territory now known as the West Bank], the Gaza Strip, and the Golan

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By ARTHUR SAMUELSON

Heights." Meanwhile, the United States government, which has consistently opposed Israeli settlements in the occupied territories as a violation of the fourth Geneva Convention and an obstacle to peace, issued an unusually harsh statement denouncing the new settlement.

During its two years in power the Begin government has settled 3000 Israelis in twenty-eight settlements on the West Bank. Shortly after Israel signed the peace treaty, the government was reportedly planning at least another thirty in the near future. Yet the members of Kadummim and other Gush Emunim settlements are today among Begin's strongest opponents and are actively working for his downfall. If the government were serious about settling the West Bank, they say, there would be hundreds of thousands of Jewish settlers in the occupied territories. They claim that Begin has slavishly given in to Carter's warnings against further settlements.

One Kadummim settler who was married on the spot where Begin delivered his famous promise in 1977 told me that he hopes his marriage vows last longer than Begin's promises. Gush Emunim leaders are even angry at Begin for allowing Sadat to come to Jerusalem in the first place; they are furious about the Egyptian-Israeli treaty, which they see as a prescription for a Palestinian state. "The autonomy plan is bullshit," says Gershon Shafat, a Gush Emunim leader. "Either the West Bank will become part of Israel or it will become a Palestinian state. There is no middle way."

"Gush Emunim has a number of fine people, but it also has a number of out-and-out frauds," said the prime minister in May. Tired of being awakened at 4 A.M. by Gush Emunim members shouting "liar" and "traitor," he now denounces his former ally in increasingly bitter terms. "What right have those impudent people to call us traitors and haters of Israel!" But what really divides Begin from Gush Emunim, apart from the group's disrespect for his authority, is more a matter of timing and tactics than ultimate objectives. Both their agreements and their differences were reflected in an incident that took place immediately after the peace treaty was signed. A group of women from Qiryat Arba, a Gush Emunim settlement on the outskirts of Hebron, on the West Bank, moved into an abandoned building that had once been owned by a Jewish family. Hebron is considered one of the three holy cities of Judaism, but the Jewish presence there was eliminated during the 1929 riots. Caught between its conviction that Hebron is a Jewish city by right and the need to avoid provoking Sadat, the Begin government was immobilized. It did not sanction the occupation or remove the squatters, but merely posted army guards and postponed a decision.

BEGIN'S GOVERNMENT DOES NOT DISagree with Shafat's view that "the only way to prevent the West Bank from becoming a Palestinian state is to launch a policy of intensive settlement." But whereas Gush Emunim would acknowledge that its aim is simply to frustrate the Egyptian-Israeli-American talks on autonomy, the Begin government goes ahead and acts on its own understanding of what autonomy means: The Arabs of the West Bank can hope at best to share the area, but never to rule it. "There will never be a political border between the West Bank and Israel," Begin has pledged.

As long as Israel sticks to this position, the current autonomy talks have little chance of success. In signing the Camp David accords, Israel agreed that the present military government in the West Bank would be "withdrawn and replaced." Palestinians would elect an interim, self-governing council for five years, and then the final disposition of the West Bank would be determined by Egypt and Israel. The accords state that the council would have "full autonomy," but Israel's version of autonomy envisions only the most limited form of "personal authority over basic services" for the residents of the

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West Bank. As one columnist in the Labor party's *Davar* pointed out, "A comparison of the details [of the Israeli autonomy plan] with the current situation shows that the proposed autonomy regime contains more restrictions than the one now in operation."

Most important, Begin's plan, while allowing for limited Palestinian autonomy, keeps for Israel effective control over the area's land and water resources. It also gives Israel the power to shape the development of the West Bank for the five-year interim period. Israel wants this power because it would like to annex the territory to Israel proper sometime in the future. Because Egypt wants autonomy to lead to Palestinian "independence" and preferably to creation of an entity closely tied to Jordan, it is highly unlikely to accept the Israeli plan. It is also unlikely that Egypt will give in to Israel's strong insistence that the military government, while located within the borders of Israel, be specified as the "source of authority" for the Palestinian council. The Israelis will stand firm on the point, however, for they view it as the only way to prevent the Palestinians from proclaiming an independent state; it would also provide the legal basis for the continued protection of Israeli settlements in the territory Begin claims as a Jewish homeland.

GIVEN THE IRRECONCILABLE NATURE OF these two positions, it is not surprising that the autonomy talks were deadlocked before they even began. Nevertheless, both Egypt and Israel want to avoid a crisis at this juncture. Sadat has been patient because he believes that he can count on Washington's support as his trump card, to be played when the time comes. Begin, for his part, is well aware of the danger to him of a joint Egyptian-American stand on the key issues of settlements, the status of Jerusalem, and control of land and water in the West Bank. For this reason, since the talks began he has been seeking to limit the American role to that of observer. Now that President Carter's chief negotiator Robert Strauss has entered the arena, however, the United States may no long remain content merely to reiterate its view that Israeli settlements are "illegal and an obstacle to peace." American officials are now conveying the impression that the question is no longer whether to apply pressure to Israel, but when and how to apply such pressure, and over what issue.

Arab lands may legally be taken if military authorities say the word.

The absence of the Palestinians, whose future is ostensibly being determined by these negotiations, gives the entire enterprise an air of futility. As one West Bank mayor put it, "Why should we enter into the negotiations? What kind of autonomy is Begin offering us? They will still be able to take our land. The plan is just a cover-up for the continued occupation of our homes."

"The Israelis have entered these negotiations in bad faith," argues Michael Brecher, professor of international relations at McGill University and Hebrew University and author of two authoritative books on Israeli diplomatic history. "They know that neither Egypt nor the Palestinians can accept their version of autonomy. But they want to stall as long as they can. When there is no one to participate in the West Bank elections [scheduled for next year], they think they will be able to claim that they have abided by the terms of the treaty, and the occupation will continue unabated."

If this is in fact Israel's strategy, then the autonomy talks are doomed and the process initiated by Sadat's visit to Jerusalem and the Camp David accords will go down in failure. The Begin government may reason that this would not be an entirely bad thing for Israel. Should Sadat get angry and abrogate the treaty with Israel, there would be no Israeli ambassador in Cairo, but neither would there be a new war with Egypt. The Begin government might be counting on one important benefit should the peace process break down: Without a treaty, Israel would no longer be obligated to return the rest of the Sinai in three years, and those Israeli settlements that raised such a fuss would not have to be dismantled. Perhaps this explains why the Israeli government has given the go-ahead for the establishment of new settlements in the Gaza Strip as well as the West Bank and Golan.

Not all members of the Israeli government are willing to take so uncompromising a position. Several ministers including Moshe Dayan and Ezer Weizmann would like to achieve a comprehensive settlement with the Arabs and have used the threat of resignation to urge Begin to display flexibility and caution. They fear that the chance for peace presented by Sadat's daring move might disappear forever, or that Israel will be subjected to such intense American pressure that it would in effect lose control of its own destiny.

But Menachem Begin has given every indication of being willing to face and, if necessary, endure any hardship to achieve the goal to which he has dedicated most of his life: the Jewish return to the homeland, Eretz Yisrael, the Land of Israel in its full Biblical sense. "I was born an Eretz Yisraeli and will remain one to the end of my days," he recently told his cabinet. He may calculate that even if the talks break down, he will not have to face American pressure since Carter, with a tough election in 1980, would not risk offending pro-Israel voters.

Many Israeli observers believe that Begin may try to sidestep the delicate question of the West Bank by tempting Syria to accept an exchange of southern Lebanon, now controlled by Israeli forces, for the Golan Heights and a peace treaty. Foreign Minister Dayan has already hinted that the government envisions a solution on the Golan similar to that in Sinai. Were President Assad to join Sadat in Jerusalem, it would be a tremendous coup for the Begin government. On the one hand, it would shift attention away from the stalled West Bank negotiations. On the other, it would allow Begin to claim that he had made a great concession for peace, alleviating some of the pressure on the West Bank. Most important, an agreement with Syria would eliminate any danger from the "rejection front" Arab countries and remove the PLO as a factor in Israel's security concerns.

These are highly unlikely scenarios, and it would not be wise for Israel to bank on either Syrian greed or Egyptian impatience. Assad does not need to give up his claim to the Golan to gain the rest of Lebanon. The United States, which is urging Syria to join the negotiations, is prepared to see that he gets the Golan back—in the same way it promised Sadat the Sinai for peace with Israel. Furthermore, Sadat has his own fallback positions. Should it become impossible to agree on the

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terms of autonomy in the West Bank because of Israel's special territorial claims, he may seek to begin the process in Gaza, where he controls the Palestinians and where the Israelis have no such cause for delay. Should this prove impossible, he will rely on American pressure to change the Israeli position.

The United States has maintained a consistent position on the future of all the territories occupied by Israel in 1967: In exchange for a peace settlement, they are to be returned to the Arabs, with only minor border adjustments to protect Israel's security. Whatever Carter's fortunes, this position will not change, since the United States strongly desires stability in the Middle East for the creation of an oil defense alliance stretching from Saudia Arabia to the emirates of the Persian Gulf. With Iran out of the picture, at least temporarily, Israel's role in such an alliance has become that much more vital; but Israel can work with the Arabs in protecting American interests only backed by a comprehensive peace agreement.

The most important factor that will tie Begin's hands should he risk a termination of the peace process is not American pressure, but his fellow countrymen. The peace process has had a profound effect on the Israeli public. The once universal sense that Israel stands alone in a hostile world has diminished. A certain fatalism remains, but the combination of nihilism and despair that gave general sanction to extremism following the Yom Kippur war has receded. Although 72 percent said in a poll taken shortly after the treaty was signed that they still believe Egypt is seeking their destruction, 68 percent said they believed the Egyptians intend to honor the agreement, and in another poll, 74 percent said they hope to visit Egypt as soon as the borders are opened.

For the first time in Israel's history an awareness is gradually sinking in that the nation's foreign policy makers will now have to take into account the needs of an Arab ally: The destinies of modern Egypt and Israel are ultimately linked. When Israeli intellectuals like Amnon Rubenstein, former dean of the law school of Tel Aviv University and now a Knesset member, and Shimon Shamir, director of Israel's prestigious Shiloach Institute for Arab Affairs, visit Cairo to participate in a symposium with Egyptian intellectuals, they write back to Israeli newspapers with heartfelt understanding of Egypt's predicament and needs, offering an entirely new perspective for most Israelis on the price of their own government's strategy and tactics.

AS A RESULT, THE GENERAL PUBLIC appears far more worried than is Begin about the dangers of playing a game of "chicken" with Sadat. Recent polls show that a majority of Israelis now oppose further settlement of Judea and Samaria as an obstacle to the success of the autonomy negotiations. Israelis, despite the urgings of Gush Emunim, are not willing to sacrifice their lives for the West Bank if they can be persuaded that a single solution to the twin problems of Israeli security and Palestinian homelessness can be found.

In addition to the sweetness of peace, the sourness of the country's economic realities is working to help Israelis weigh the risks, costs, and benefits of their foreign policy alternatives. A recent poll shows that were elections to be held today, the Labor party would win a narrow victory. What has weakened the Likud is not its foreign policy so much as a growing sense among the public that the economy is crumbling and that the government is not in control. A poll taken in the month after the agreement was signed shows that while 61 percent of the public approved of the government's foreign policy only 14 percent thought it was doing an adequate job in economic matters.

There are good reasons for this perception. In the single month following the signing of the peace treaty, consumer prices in Israel rose almost 9 percent. A startling 75 percent of the people say they encounter difficulty in paying their monthly bills. By the end of this year, Israel's national debt will total $14 billion, which works out to $16,000 per family, and the total will be further swelled by the $2.2 billion in loans from the United States that will sweeten the bitterness of withdrawal from the Sinai. Only the continuance of aid from the United

Most Israelis are no longer willing to give their lives for the West Bank.

States permits the economy to continue functioning at all. No less than 71 percent of last year's $3.4 billion balance of payments deficit was covered by foreign assistance grants. Israel receives $1.8 billion annually in nonmilitary aid—and it pays $1.6 billion annually for debt service alone. A debtor whose mortgage must be continually refinanced becomes vulnerable to pressures, especially when there is only one lender available. If the U.S. response to provocations like the requisitioning of land for a new settlement appears mild and perfunctory, it may be because no shouting is necessary; a mere "technical" delay in the funneling of aid would pose great difficulties for the Israeli government. Israeli opposition to the Gush Emunim settlements rose 7 percent after the United States announced its opposition to Elon Moreh, *Ha'aretz* reported. The unavoidable reality is that the Israeli economy can be healed only in one of two ways: by accepting a truly drastic reduction in the standard of living or by achieving a genuine peace agreement that would both reduce arms requests and create the conditions for a normal, regional economy. Israelis are increasingly aware of this situation even if they do not relish it.

Sensing its opportunity, the Labor party is becoming increasingly outspoken. Its leader Shimon Peres, the ultimate pragmatist, at times even sounds like a militant socialist. In foreign affairs, the party is still officially wedded to its Allon plan, which calls for annexation of parts of the West Bank and return of the Arab population to Jordan. Because most people in Israel know this formula cannot be the basis for serious negotiations, an opening has been created for those who support a two-state solution. The stock of the doves within the party and in the public at large keeps rising as the real choices become clearer.

Last September when it appeared that Begin's hard-line stand on the West Bank was likely to put Sadat's peace initiative to permanent rest, 100,000 Israelis streamed into Tel Aviv's central square to urge him to display flexibility at the Camp David talks. It was the largest political demonstration in Israel's history. "Peace is better than the Greater Land of Israel," said their banners. When Israel is faced with such a choice again, say the demonstration's organizers, they will be back in even larger numbers. ❑

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LIBERTY AND LANGUAGE, by Geoffrey Sampson. Oxford University Press, 251 pp., $15.95.

Creativity and personal freedom

JAMES D. MCCAWLEY

NOAM CHOMSKY IS equally renowned as the developer of tranformational grammar, an approach to the structure of language that has profoundly influenced not only the whole field of linguistics but also much recent work in psychology and philosophy, and as a prolific and articulate spokesman of the American New Left, particularly in opposition to American intervention in Vietnam. Geoffrey Sampson, reader in linguistics at the University of Lancaster and politically a liberal in the classical British sense of that term, views Chomsky's linguistics as largely right, though resting on a shaky foundation, and his politics as largely wrong, though he applauds Chomsky's opposition to the Vietnam War. In this well-written and highly original book Sampson discusses possible relationships between Chomsky's thinking in linguistics and in politics and argues that certain considerations about language, which Chomsky largely overlooks, support a political position that is sharply at odds with Chomsky's.

Chomsky is often asked what connection there is between his scientific work and his political activity; indeed, that question begins the series of interviews with Chomsky that appeared recently under the title *Language and Responsibility* (Pantheon, 1979). Chomsky's answers indicate that there is not much relationship: "If there is a connection, it is on a rather abstract level . . . what special knowledge I have concerning language has no immediate bearing on social and political issues," though he concedes that his politics and his linguistics "in some measure . . . perhaps derive from certain common assumptions and attitudes with regard to basic aspects of human nature." Sampson holds this to be very much the case: that Chomsky's view of human nature, particularly as it relates to learning and knowledge, leads Chomsky to consider a (from Sampson's viewpoint, as well as from mine) far too narrow range of possibilities for what people can know or believe or choose to do, notwithstanding Chomsky's frequent use of the word "creativity."

Not only do human beings lack knowledge; they don't know what knowledge they lack.

This limited view of human potentialities leads Chomsky both to believe in the feasibility of planned economies (and to subscribe to a syndicalism in which decisions on production and allocation of resources are made by a "federal council" that is responsive to resolutions by "regional assemblies") and to develop his highly elaborate theory of language without giving sufficient attention to the relationship between words and the things and concepts that the words are used to refer to. Sampson accuses Chomsky of having debased the word "creative" by applying it to aspects of language that can be mimicked by machines, while neglecting aspects of language that are really creative, in that they allow one to refer to things whose existence had not been foreseen and to concepts that previously had been inconceivable.

Much of *Liberty and Language* is concerned with two contrasting approaches to knowledge: "rationalism," different variants of which have been adopted by Plato, Descartes, and Chomsky; and "empiricism," which in some form or other has been advocated by Locke, Hume, and Karl Popper, and which Sampson defends against Chomsky's attack. The terms "rationalism" and "empiricism" are confusing, not only because each of the terms has been applied to a fairly broad range of philosophies, but also because "rationalism" has similar connotations to "mentalism," the name of a quite distinct and independent idea that both Sampson and Chomsky are committed to. Furthermore, Popper's empiricist philosophy of science is widely known as "critical rationalism." In addition, Chomsky's attacks on empiricism have focused especially on one quite bizarre form of empiricism, namely, B. F. Skinner's "behaviorism," which is as repugnant to many empiricists (such as Sampson) as it is to Chomsky.

Chomsky's rationalism involves the following ideas: (1) Learning by human beings relies extensively on innate ideas, e.g., our neuroanatomy provides us with concepts like "straight line" and "yellow" that we do not have to learn from scratch and can immediately use in interpreting the world around us. (Chomsky generally does not distinguish—nor will I—between the ideas themselves being innate and the neuroanatomy being such as to ensure that we will rapidly learn them—that difference is of no more importance than that between cash and a check.) (2) These innate ideas and all biologically determined learning mechanisms are the same for all normal human beings. (3) Innate ideas are retained throughout one's life. (4) Introspection is a valid source of knowledge

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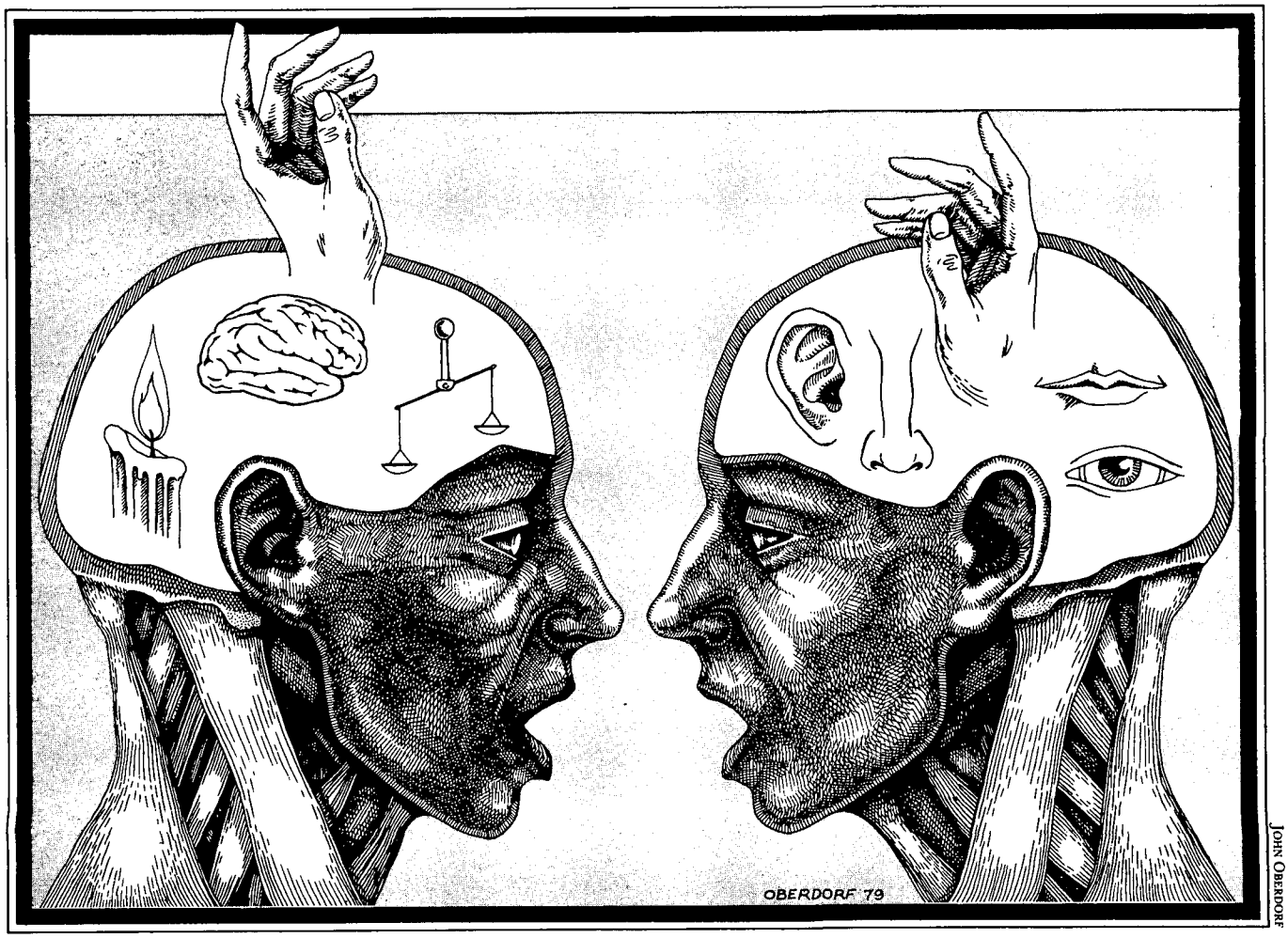
(as in Descartes's celebrated proof of his own existence). (5) What one can learn is fixed in advance by one's innate capacities.

These propositions are actually largely independent of one another, e.g., one could accept innate ideas (1) while denying they are retained throughout life (3) by maintaining, say, that human learning relies heavily on innate ideas but that many of those ideas are wrong (though useful first approximations) and are suppressed as one develops; indeed, Jean Piaget's research on cognitive development can be taken as supporting precisely that view. While innate ideas is the most widely debated characteristic of rationalism and is frequently offered as a definition of rationalism, it is the point on which, in my opinion, there is the least amount of real (rather than just apparent) disagreement. It is particularly misleading to take the rejection of innate ideas as defining empiricism, since the heterogeneous range of views taken in by empiricism so defined would exclude the most interesting alternatives to Chomsky's rationalism, such as the view of Sampson.

*SAMPSON GIVES AN EXCEL-*lent statement of what the terms "rationalism" and "empiricism" have traditionally been applied to: "The point which distinguishes Locke and Popper [empiricists] on the one hand from Descartes and Chomsky [rationalists] on the other hand . . . is that both the latter believe in a fixed, limited range of ideas potentially available to a human mind, whereas both the former hold an 'open-ended' view of mind—Locke believed there was no limit to the range of potential ideas because the mind is wholly plastic, Popper because he believes it is limitlessly creative." The question of whether the human mind starts out as "tabula rasa" (a blank slate) is for Sampson a side issue of relatively minor importance, particularly in view of the fact that the tabula won't stay rasa for very long even if it starts out that way.

The really important question is how the mind uses both its currently filled-in parts and its current experience to fill in more blank space and to refine the knowledge in the already filled-in part. Chomsky, by Sampson's criterion, is an archrationalist for reasons that go far beyond his belief in innate ideas: For example, Chomsky's so-called "theory of language acquisition" says nothing about the developmental stages that a child goes through in acquiring its native language; it deals only with the question of which of a predetermined infinite set of possible linguistic systems will be the one that the child will have acquired by the time it reaches adulthood.

From the proposition that human beings are creative, Sampson draws the profoundly important conclusion that they are not only ignorant but radically ignorant: They don't merely lack knowledge—they don't know what knowledge they lack. Creative acts uncover gaps in knowledge that no one had previously realized were gaps. This observation lies at the bottom both of Ludwig von Mises and F. A. Hayek's arguments against planned economies (to which Sampson repeatedly refers) and of Popper's arguments that no scientific proposition can be proven definitively. Human beings in their capacity as producers of ideas—both ideas as to what the world is like and ideas for goods, services, and institutions that other humans may find



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worthwhile—change the available choices in ways that are unforeseeable in any scientific theory or economic plan. For Sampson, an empiricist conception of knowledge thus entails the desirability of an antiauthoritarian free market for ideas and for goods and services.

Chomsky regards empiricism as dangerous to human liberty: Any form of empiricism, in his view, implies that human minds can be molded, and oppressors can be counted on to avail themselves of any opportunity to mold them to their liking. He speaks of rationalism as a "modest conceptual brake" on the controlling of human minds. However, this claim provides me with little consolation. Current would-be oppressors have ample opportunity to enslave and degrade people without needing to mold their minds to anywhere near the limits imposed by their innate concepts of straightness and yellowness. A far more potent obstacle to oppression is provided by something that Chomsky ignores almost entirely, namely, individual variation. The more unpredictably people differ from one another, the less generally effective will be any means of molding minds. While Chomsky normally speaks as if there were great uniformity among human beings as regards their innate abilities and knowledge, his assumption that human cognitive capacities have a genetic basis implies that there will be considerable individual variation: In everything else that is genetically determined, there is individual variation. For example, there is individual variation, genetically determined, in fine details of structure, e.g., no two persons have the same fingerprints. (See *Biochemical Individuality,* Roger Williams, University of Texas Press, 1969, for further examples.) Chomsky may well be repelled by the prospect that no two persons' innate ideas exactly agree—perhaps out of a prejudice inherited from Plato and Descartes that innate ideas must be correct—but it is a conclusion I can readily live with.

In the course of his valuable discussion of rationalism and empiricism, Sampson takes up a broad range of political, philosophical, and scientific issues: most notably the Vietnam War, the race–IQ controversy, the role of government in health care and education, Wittgenstein's ideas about words and meanings, and the nature of scientific innovation. There are occasional, distressingly naive interpretations of history (e.g., American policy "has been rather consistently one of encouraging the growth of liberalism abroad"), and at times Sampson lapses into collectivist rhetoric that is inexplicable for someone of his political views, as when he treats attempts by individuals to influence governments and attempts by governments to influence other governments as parallel. One section that I wish Sampson had omitted is his unconvincing attempt to defend British colonialism. All in all, however, *Language and Liberty* has contributed much to my understanding of issues ranging from the design of egg boxes to the nature of the human mind. Laymen will find in it a lucid explanation of ideas about language and human thought and action that deserve the attention of any intelligent person, while professionals can expect to derive much stimulation and many novel insights into current controversies. *Language and Liberty* combines subtle philosophical analysis with perceptive commentary on vital political issues in a manner reminiscent of the works of Popper and Hayek that Sampson so frequently cites.

BLOOD OF SPAIN: An Oral History of the Spanish Civil War, by Ronald Fraser. Pantheon, 608 pp., $15.95.

Brother against brother

HUGH THOMAS

ABOUT TEN YEARS AGO, people interested in Spain began to hear stories about a strange Englishman who seemed to be passing his life tape-recording the life stories of Andalusians as told by themselves. Ronald Fraser was (or had been) on the left, it was said, but at the same time he had studiously hidden any political preconceptions and was amassing a vast oral history of modern Spain. After a while, the fruits of his labors began to be published. First came the edited and taped autobiography of Manuel Cortes; he was the socialist mayor of Mijas, a village on the Costa del Sol, who had hidden from the police in his house for thirty years after the end of the civil war. Then came a portrait of a fictional village "Tajos" which, like Ronald Blythe's *Akenfield,* had been constructed out of the characteristics of a number of villages—in this case in the region of Mijas.

This second book, *Pueblo,* gave an exceptionally vivid picture of the economic and social transformation of Spain under Franco, a social revolution whose determining equation, so to speak, was the insistence that prosperity could only be achieved by political illiteracy and immobility. Though written by one who was not a trained sociologist or social anthropologist, and open to the same sort of questions (which fact was really true and which was merely a paraphrased generalization?) that people raised about *Akenfield, Pueblo* probably gives a better picture than any academic book of what the social change in Spain since 1960 has really been like.

Ronald Fraser's new book, *Blood of Spain,* is a much more ambitious study since it is, as its subtitle states, an oral history of the civil war. In the last two years of Franco's life, Fraser traveled round nearly the whole country and caught the memories of hundreds of people, largely unimportant people, who had played some kind of part in the events of 1936 to 1939. He has put these stories together against a series of his own linking passages in a narrative based on a meticulous knowledge of the subject.

The result is a long, fascinating, and brilliantly unorthodox book. To those who know nothing of the subject, I suppose it could sometimes be a little confusing. To those who already have an outline knowledge of the events described, *Blood of Spain* will be an invaluable addition, all the more interesting since the author has rightly concentrated on the unexpected insight.

One example of this is a passage about the successful rising in July 1936 in Seville. Now, in the eyes of historians, that coup by General Queipo de Llano was one of the really decisive moments in the war. If the government had held Seville, the strategic center of southwestern Andalusia, it is most doubtful that Franco would have been able to land his foreign legionaries and his Moroccan troops in Spain at all. Fraser quotes

Among HUGH THOMAS's books are The Cuban Revolution *and* The Spanish Civil War. *A revised edition of the latter was published in 1977 by Harper and Row.*

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"You could be a revolutionary and still be a conservative."

from a Falangist lawyer who took part in these events: "Led by an artillery major we ran into the building. The governor and the other authorities came down the stairs, their hands over their heads. In an extraordinary way, the events seemed very ordinary, utterly provincial." That last adjective is what makes the passage: Events that historians later regard as decisive turn out at the time to be not just taken in one's stride but actually provincial.

Mention of this Falangist lawyer in Seville points to another major contribution of this book: namely, the fair and sympathetic treatment of the young men who from the—in European terms—provincial angle of Spain looked at fascism in the 1930s as one possible way of solving the problems of a half-industrialized country. Of course, a world war and many years later, the ideas of those young men seem naive: "You could be a revolutionary and still be a conservative," remarked Dionisio Ridruejo, who later made a complete recantation and ended his life as one of the most respected members of the democratic opposition to Franco and fascism. "There is no need to reject your traditional upbringing, especially nationalism." We have been accustomed to giving idealistic young Communists the benefit of the doubt in the 1930s. Of course, they were wrong, we admit—they killed a lot of people—but nevertheless, one cannot deny their courage and discipline. Much of the same should be said of many of Ridruejo's colleagues, without disguising the brutality with which some—particularly those who had joined the movement out of opportunism—carried out repression.

Another genuinely new contribution that Fraser makes is his documentation of protests within the Francoist camp against repression. He also reminds us, and it may be that this too is often underestimated, that a civil war, however it affects the upper or the working classes in a country, inevitably divides the middle class in the most tragic way. A monarchist told Fraser very accurately:

"The front was a sinuous line which divided friend from friend, brother from brother, which ran through many a particular home and even through bedrooms. In my family there were Carlists, liberals, republicans. My situation was by no means unique. I did what I could to alleviate the suffering of my relatives on the other side, did what I could to get any uncles out of jail, but I went on fighting . . . to end the chaos that the Left and the CEDA [the right wing pro-Christian democratic movement] had provoked; to restore law and order, authority and a national spirit . . ."

Finally, there are here, among the innumerable indications of courage and cowardice, opportunism and astonishing determination, endless reminders of the ironies that civil war creates: An English-educated marquis manages to escape from prison and almost certain death in Madrid. Dressed as a worker, he is about to board a train at the Atocha station when to his horror, he sees a small figure clutching a bottle of whisky. ". . . Nellie Cunningham, my old Irish nanny! . . . she cried out in English: 'My darling boy!' . . . 'Nellie,' I hissed, 'go away at once.'"

All in all, this is a fine book, and if some may complain that it is a compilation, not a history, even they will admit, I think, that it gives a most vivid picture of what it was like to have been in Spain in 1936, when confusion rather than clarity of issues seemed the most striking characteristic. Historians, after all, seeking symmetry, often give a far too clear picture of events, which cannot really be simplified without falsification. Of course, ideology played a part in the Spanish Civil War, but even so the reader finishes *Blood of Spain* with an uneasy feeling that the film of *The Bengal Lancer*, which was showing in Pamplona for the first week of July 1936, may have played a greater part in the subsequent battle there than did any political theory—"A film of heroism, imperial adventure, fighting—a film our founder José Antonio Primo de Rivera particularly liked . . ." ❏

THE U.S. CRUSADE IN CHINA, 1938–1945, by Michael Schaller. Columbia University Press, 364 pp., $14.95.

Chinese cockpit

BARTON J. BERNSTEIN

THIRTY YEARS AFTER America "lost" China, American business is again savoring the prospect of the China market and politicians are journeying to Peking. The passions of Cold War hostility have faded, and the time is thus ripe for a reconsideration of America's China policy during the critical years of World War II and the early Cold War.

Could a different policy have "saved" China? Why was China so important to America? Why was the Roosevelt administration willing to go to war to oppose Japan's aggression in China? Why did Roosevelt and Truman stick with Chiang Kai-shek and not ally instead with Mao Tse-tung?

These are among the key questions that Michael Schaller, a young historian at the University of Arizona, addresses in this important book. Energetically researched and vigorously analytical, his volume is the best single study of the swirling, often confusing American policies toward China in the years of World War II and the immediate aftermath. It is a book that emphasizes the corruption of Chiang and his inability to maintain hegemony, America's misunderstanding of China's social revolution, the conflicts among FDR's advisers, the deceits of American tactics, and the uses of American clandestine warfare first against Japan and then against the Communist Chinese. Schaller unravels the central threads of American policy and locates in this period the seeds of containment—a policy first applied against Japan and then Russia.

Why did American leaders in the late thirties interpret Japan's attack on China as a threat to the United States? It was not simply their concern about China, its markets, and its people, but a fear

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of international disorder and unrestrained aggression. To American policymakers, as Schaller understands, Japan's invasion of China was a prelude to further aggression against the interests of the United States and its European allies in the Pacific. China was an early domino in the feared course of continuing Japanese expansion.

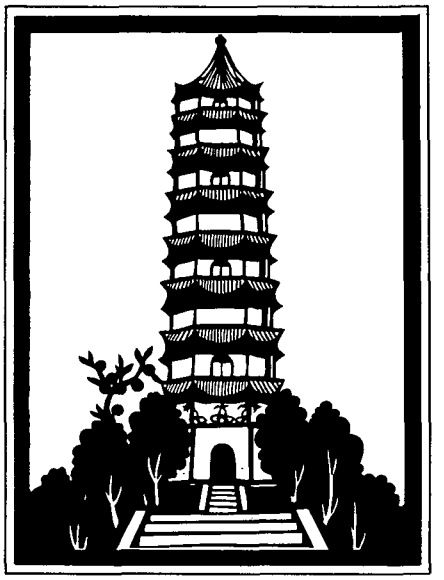
Starting in 1938, the Roosevelt administration conceived of China as an instrument for blocking Japanese expansion in the Pacific. China would be "a military proxy" in this early expression of the containment policy. Accordingly, by autumn of 1941, when Japan suggested various compromises in Asia, American leaders rejected such proposals. "Since Tokyo's goal appeared infinite to them," as Schaller explains, "compromise over China or other territory was both immoral and unrealistic."

Even a short-run compromise, delaying the war for a few months until America was better prepared militarily, was unthinkable for most American leaders. They feared that China might collapse in the interim, and the wily Chiang warned that his army might fall and implied that he might have to desert the cause. President Roosevelt and most of his advisers were already locked into their alliance with Chiang, whom they deemed essential to the salvation of China and, thus, of Asia.

Throughout the war, a central problem persisted: How to aid Chiang's forces in order to stop the Japanese and yet prevent Chiang from instead using his troops to eliminate the Communists. To those like John Paton Davies, the diplomat, and some anonymous American military officers, the problem had to be rephrased and understood within the context of the social revolution: Only the Communists, who improved the morale of the peasants, could "instill among the people a will to resist Japan and support their own armies." Chiang, because of his social base among landlords and merchants—both of whom exploited the peasants—could not lead a crusade against the Japanese.

WHY DID ROOSEVELT ally with Chiang and not Mao? Schaller gives no clear answer, perhaps because Roosevelt's ways are so hard to fathom, but a partial answer emerges in the book: The President and his advisers knew little about the Communists, who were often feared as Soviet-dominated forces; also Chiang played skillfully on American hopes to persuade the administration that he would reform his government, maintain the loyalty of the Chinese, and energetically fight the Japanese.

The bitter complaints of Davies and General Joseph Stilwell, "Vinegar Joe," who derisively called Chiang "the Peanut," occasionally punctured the strained optimism of the White House. Late in 1943 Roosevelt ordered the preparation of a plan to assassinate Chiang. The President, Stilwell told an aide, was "fed up with Chiang and his tantrums. [FDR] told me . . .'if you can't get along with Chiang and can't replace him, get rid of him once and for all. You know what I mean, put in someone you can manage.'" The plan was to sabo-



tage Chiang's plane and give him a defective parachute, but in the end Roosevelt never authorized the plot.

In a letter of September 1944, Roosevelt condemned Chiang for some of the military disasters in China and directed him to place his armies under Stilwell. After delivering this bitter message from FDR to Chiang, Stilwell gloated, "The harpoon hit the little bugger right in the solar plexus, and went right through him." To his wife he wrote happily, "At last I've had my innings and laid the Peanut low." Within a month, however, Chiang persuaded Roosevelt to remove Stilwell, for "he [has] no intention of cooperating with me . . . but believes he was being appointed to command me."

"It is not a choice between throwing me out or losing [Chiang] and possibly China," Stilwell warned Washington: "It is a case of losing China's potential effort if [Chiang] is allowed to make rules now. . . . China is like a sick man who is telling the doctor what to do." But the diplomatic skills of Chiang and the counsel of Ambassador Patrick Hurley prevailed. If Roosevelt backed Stilwell, Hurley warned the President, "you will lose Chiang . . . and possibly . . . China with him." Faced with unpleasant alternatives, Roosevelt preferred to believe he might push Chiang into line.

The President was basing his policy on a grand design: creating a China which, in the postwar world, would be the dominant military power in Asia, able to resist Russian expansion and possibly to direct Asian nationalism into liberal-democratic patterns. China would be America's proxy power in the East, the agent of containment. Put bluntly, much of FDR's wartime policy was shaped by his design for the postwar world and his wariness of the Soviet Union.

Roosevelt's wartime strategy, according to Schaller, was to support Chiang in order to hold China together and to try to deter Stalin from intervening in the Chinese civil war. FDR found some support in Hurley, who concluded in late 1944, after a trip to Moscow, "that Russia is not supporting the so-called Communists in China and . . . that Russia desires closer and more harmonious relations with China." Though fearing and suspecting a close bond between Mao's forces and Moscow, Roosevelt believed that Russian self-interest could override the Soviet inclination to spread Communism to China; thus the President was prepared to offer Stalin control over Manchurian ports and railroads. Although Roosevelt was wrong to fear that Stalin might control Mao, the President was correct in believing that Stalin would settle for such spoils and was not committed to aiding the revolution. In fact, as the Chinese Communists later complained, Stalin even impeded their struggle.

During World War II, the Chinese Communists themselves sought American aid and stressed their independence from Moscow. They wanted, they asserted, to defeat Japan and build a new China. Struggling against both the Kuomintang and Japan, the Communists emphasized the compatibility of their program with America's. "Even the most conservative American businessman can find nothing in our program to take exception to," Mao told an American diplomat. Undoubtedly Mao was exaggerating, but he probably did wish to be independent of Russia, and regarded America, under Roosevelt, as an attractive ally. A small group of OSS officers and diplomats, spearheaded by John S. Service, tried to redirect Amer-

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ican policy toward an alliance with Mao. Their effort failed, largely because Roosevelt preferred to cling to Chiang and Hurley opposed the Communists.

The Yalta conference of February 1945 represented the consolidation of Roosevelt's strategy of protecting China from Soviet desires and compelling the Communists to join a Chiang-dominated coalition. The President offered Stalin concessions in Manchuria, and the Soviet leader affirmed that he preferred to see Chiang dominant in China. Presumably, without aid from Stalin, Mao would be more likely to enter the American-conceived coalition under Chiang.

*HOW MUCH DID ROOSE-*velt's death and Truman's succession change American policy toward China? Schaller himself seems unsure at times, perhaps because of FDR's penchant for ambiguity. The evidence suggests, as Schaller briefly acknowledges, that there was, at best, a "slim possibility" for a revision of American policy under Roosevelt. If so, it died with him.

President Truman depended upon advisers who mistrusted the Soviets and the Chinese Communists more deeply. After V-J Day, through the deployment of American soldiers and the ferrying of Nationalist troops, the U.S. government tried to buttress Chiang's forces and weaken the Communists. As one American marine complained from China in November 1945, ". . . we are here to protect General Chiang's interests against possible Communist uprisings. Everything we do here points directly or indirectly toward keeping the Chinese Communists subdued."

In late 1945, the American military presence in China produced occasional clashes with Communist forces. Most notably, near Suchow, the Communists scrapped with an American intelligence party led by a then obscure captain. Stopped for questioning by the Communists, he called them "bandits." When warned by a Kuomintang associate not to provoke them, he reportedly declared, "I want to find out how they intend to treat Americans. I don't mind if they kill me. If they do they will be finished, for America will punish them with atomic bombs." And probably because the Communists believed the captain was linked to an American-supported program of Nationalist terrorism, they executed him. His name —John Birch.

Confronted by the growing Communist strength in China, the Truman administration tried to block the Communists and push them into a Chiang-dominated alliance, while shoring up Chiang and forcing him to reform. Just as he had thwarted Roosevelt's efforts, Chiang frustrated Truman and General George C. Marshall, the President's special representative, who failed in his mission to China. Through the early postwar years, the administration's own anti-Communism, reinforced by the China lobby and the fear of a domestic backlash, blocked any thought of abandoning Chiang for Mao. In November 1948, nearly a year before Chiang fled to Taiwan, General Marshall, then the secretary of state, told the Truman cabinet, "There is nothing we can do to save China."

When Chiang's government collapsed, many Republicans and some Democrats accused Truman of "selling China down the river." Among them was a young Democratic congressman, John F. Kennedy, who complained in 1949, "What our young men had saved [by fighting in World War II], our diplomats and our President frittered away." Roosevelt's generation was not alone in failing to understand the social revolutions of Asia.

CONFESSIONS OF A CONSERVATIVE, by Garry Wills. Doubleday, 231 pp., $10.00.

Confusions of a conservative

DAVID GORDON

WHO ELSE BUT GARRY Wills would include in the same book a penetrating analysis of Saint Augustine's view of justice and a tasteless defamation of Albert Jay Nock? Lack of discrimination and confusion of thought are the only constants in this meandering attempt to elaborate an allegedly conservative political philosophy that will justify the author's idiosyncrasies. Wills suggests that the purpose of the state is not to enforce justice but to postpone conflict "in the name of common good things held." His ideal, what he terms the "convenient" state, "exists to hold people together in peace, not to enunciate 'raw justice.' " The state, he contends, cannot be founded on reason, since any attempt to do so represents a kind of masked theocracy. How did we get from justice to reason? And what is "theocratic" about, say, the society based on reason discussed in Nozick's *Anarchy, State and Utopia*?

Wills assumes public schools and public safety but never says why the public should foot the bill.

Wills's failure to consider questions like these means in itself only that his theory is insufficiently elaborated, but he soon falls into outright contradiction. He favors preferential hiring of blacks on the ground that "conservatives are bound to the concept of 'historic guilt' for racial wrongs." Even granting that reverse discrimination is a case of implementing justice, what happened to his belief that the state is not founded to preserve justice? On the next page, Wills repents his midsixties opposition to civil disobedience: Apparently violence by some blacks is compatible with "holding the people together in peace." Another chapter defends elitist "do-gooders," whom others condemn as busybodies: Without such "prophetic" figures, how could radical reform measures get started? The convenient state goes out the window as soon as the status quo does not suit Wills's pet causes.

Even when Wills is right he finds it impossible to avoid muddle. In the course of an argument that American elections do not settle major issues, he states that "our nation is never more united than at the close of an election," forgetting his own discussion of the election of 1860 in the previous chapter. Vastly exaggerating the practical importance of Condorcet's paradox of voting (which shows that voting does not always result in a clear social preference), he mars his interesting discussion

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of the limits of democracy by offering a melange of poorly digested welfare economics. He manages to quote Kenneth Arrow without once mentioning the Impossibility Theorem, a much stronger version of Condorcet's paradox.

Wills uses the idea of the convenient state (when the prophets are on furlough) to support a "conservative" position like that of Arthur Schlesinger, Jr., in *The Vital Center*: What are to be conserved are the social gains of the welfare state. Everyone must undergo twelve years of public education and contribute to social security; and federally mandated safety requirements are a step in the right direction. Characteristically, Wills offers no argument for public provision of these services. The need to serve certain interests is simply posited. This may seem an odd version of conservatism, but what can one expect from someone who avows himself a Chestertonian distributist but thinks that the widespread holding of property is nowadays both unnecessary and impossible. This is as sensible as being an admirer of Shakespeare, except for the plays.

In his long memoir of his years at *National Review*, Wills's reporting of the opinions of others leaves a great deal to be desired. If "Alfred Kohler of the China lobby" instead of Alfred Kohlberg is dismissed as a slip, what is one to think of his imputing belief in unfettered capitalism to Russell Kirk? In *A Program for Conservatives*, Kirk—whom by the way Wills delicately terms a "sap"—explained in detail his preference for the moderate welfare state of Wilhelm Roepke over the "Manchesterism" of Ludwig von Mises. Murray Rothbard, an outspoken critic of the single-tax movement, appears here as a "latter-day [Henry] Georgist." Leo Strauss did not believe that "history is one long conversation in univocal terms," and the claim that Eric Voegelin supports "theocratic politics" is at least debatable, and requires some evidence. When I called Wills's observation to his attention, Voegelin stated that it was nonsense.

The *pièce de résistance*, however, is surely the following, about Nock's old magazine, *The Freeman*: "I find it hard to see what impressed so many people in the twenties. Nock was only exaggerating a little when he said in his *Memoirs*, 'We produced what was quite generally acknowledged to be the best paper published in our language.' " If not formally contradictory, the two statements are at least glaringly inconcinnous, to use one of Wills's favorite words. ❑

MUSIC

The essential jazz record library

NAT HENTOFF

ALTHOUGH CHARLIE PARKER was the explosive trailblazer of modern jazz, greatly advancing the harmonic sophistication and rhythmic complexity of the improvisers who followed him, he was not the only explorer. Dizzy Gillespie set new directions on trumpet, creating a virtuosic but penetratingly emotional style laced with sardonic wit and a playfulness that served as a reminder that the music, while serious, need not be solemn. (*Dizzy Gillespie: The Development of an American Artist, 1940-46*, Smithsonian Collection, P2 13455; available from the Smithsonian Collection, P.O. Box 10230, Des Moines, Iowa 50366; *Oscar Peterson & Dizzy Gillespie*, Pablo 2310-740.)

Also in at the beginning of the post–swing era revolution was Thelonius Monk, a pianist-composer with roots in the Harlem "stride piano" tradition but with an utterly singular harmonic imagination (to him, so-called dissonance was as natural as swinging), a bent for angular and somehow mysterious melodies, and a slashing rhythmic incisiveness (*Brilliance*, Milestone 47023; *Monk/Trane* Milestone M-47011).

Miles Davis, on the scene early and a sometime sideman of Charlie Parker, took a while to develop a voice that was truly an extension of his own particular strengths and interests. His playing grew spare, making dramatic use of space. Often implying, rather than specifically stating the beat, Davis showed other players diverse routes to greater rhythmic freedom, and was particularly influential in his gradual jettisoning of chords and use of modal patterns instead (*Kind of Blue*, Columbia PC-8163). For Davis at his most evocatively, hauntingly lyrical, there is *Sketches of Spain* (Columbia PC-8271).

Many of Davis's sidemen later went on to renown, but his most remarkable alumnus was tenor saxophonist John Coltrane. No one in jazz before had used such density of textures, multinote improvisations that critic Ira Gitler called "sheets of sound." Coltrane played with enormous energy and urgency, and when leading his own groups he had so much to say that one number could last an hour or more. He learned to play several notes or tones simultaneously, and used drummers who built multiple layers of intersecting rhythms; he also, as a soloist, sustained a higher emotional tension for longer than anyone would have thought possible before (*Giant Steps*, Atlantic S-1311; *Live at the Village Vanguard*, Atlantic S-10; *Ascension*, Impulse S-95).

Also forceful, but on a broader and a more narrative-like structural scale, was bassist-composer-leader Charles Mingus. His work was characterized by bold, arching melodies, pungent harmonies, and what he considered a natural approach to time: The rhythm would accelerate and decelerate in a piece according to the needs of the mood and the story-line. "Like conversation," he said. His subjects ranged from volcanic evocations of Holiness prayer meetings he had attended as a child, to a portrait of Lester Young, to savage satirical thrusts at racism, and unabashedly intimate but tensile sketches of former lovers and present companions. Mingus produced a more diversified and durable body of work than did anyone in jazz history but Duke Ellington (*Charles Mingus Presents Charles Mingus*, Barnaby/Candid 5012; *Tia Juana Moods*, RCA APL 1-0939; *Mingus Ah Um*, Columbia CS-8171; *Cumbia & Jazz Fusion*, Atlantic 8801).

By contrast with the fierce flights of Coltrane and the passionate lyricism of Mingus, the Modern Jazz Quartet was considered too formal and bloodless by some. Yet this unit, the most accomplished chamber jazz group in the post-

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Parker era, actually played with much intensity and emotional depth, particularly in its fresh uses of the blues. It set demanding standards for collective musicianship, especially with regard to mastery of dynamics (*Last Concert*, Atlantic 909).

OF MODERN JAZZ SINGERS, the first one to fully absorb the new instrumental language and transform it to vocal purposes is still the best. Sarah Vaughan, while occasionally given to excess ornamentation, has steadily evolved and remains peerless in terms of range, resiliency of phrasing, suppleness of time, and invention (*How Long Has This Been Going On?*, Pablo 2310821). Another durable singing improviser who can command a room into silence is Carmen McRae. After Billie Holiday, she is the most intelligent illuminator of lyrics, and the precision of her emotional probes is all the more telling because they are stripped of sentimentality (*Ms. Jazz*, Quintessence QJ-25021).

Also devoid of even a trace of bathos, in quite another way, is the music of Cecil Taylor. This pianist-composer-leader, although active since the 1950s, did not reach a sizable audience until the 1970s—in large part because his dense, seemingly ceaseless solos required more concentrated attention than most listeners were prepared to give. Taylor has always played with such overwhelming energy that even those who stayed to hear him would be exhausted by the end of the set. Yet, as more and more aficionados became accustomed to the turbulent and long, long solos of John Coltrane and his disciples, Taylor's brilliance finally became assimilable.

Now Taylor is a growing influence, with his incandescent pyramiding of ideas, multiple intersecting rhythm waves, and continually surprising fusions of textures, timbres, structures, and emotions. His credo: "To feel is perhaps the most terrifying thing in this society." And Cecil Taylor fully intends to continue being terrifying (*Unit Structures*, Blue Note 84237; *Silent Tongues*, Arista/Freedom 1005).

Ornette Coleman terrified a good many listeners and musicians at the start of his jazz odyssey, but he was accepted earlier than Taylor because he had the support of such established jazzmen as John Lewis, musical director of the Modern Jazz Quartet. Still, Ornette continued to have to deal with hostility through the 1960s because he appeared far too radical in the changes he wanted to make in the jazz firmament. For instance, his music, as he pointed out, had "no real time, no metric time. It's more like breathing: a natural, freer time." And he largely ignored chords, but the results—unlike those of Miles Davis—seemed bizarre; his melodies careened so freely that some musicians, incorrectly, thought him a primitive. Coleman also insisted on getting what he called more "human" qualities from his horn, and for some listeners those sounds resembled cries and squawks rather than music. But Ornette is finally established as one of the basic influences on the newer generation of improvisers, so he accomplished his goal of liberating the music from encrusted practices (*Shape of Jazz to Come*, Atlantic S-1317; *Great London Concert*, Arista/Freedom 1900).

*SINCE COLTRANE, COLE-*man, and Taylor, there has as yet been no single force to markedly change the language again. The current transformations of jazz are collective. That is, although many of the newer innovators are decidedly individualistic, no one of them towers over the rest. And all share certain basic imperatives. One is the desire to know all the music that has come before them, including the African heritage. They are as hip to ragtime as to Coltrane, to Louis Armstrong as to Miles Davis.

Also, like Ornette Coleman, they work for the widest possible range of

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"human" sounds on their instruments. And despite much laymen's talk about "free jazz," these players are continually absorbed in new forms and improvisation processes. They like to challenge themselves and one another, and they greatly prize their musicianship. None of this is academic, however, for the new wave delights in humor and sometimes in theatrics. The spontaneity that has always been at the core of jazz is vividly evident in their music.

A particularly wide-ranging and exhilarating illustration of some of these jazz frontiers, which most of the musicians involved prefer to call "black music," is the Art Ensemble of Chicago's *Nice Guys* (ECM 1-1126). Among the players is the wondrously protean and witty trumpeter Lester Bowie.

Bowie, who has played circus-trumpet in carnival bands and worked with blues combos and avant-garde units, can also be heard in *Duet* with percussionist Phillip Wilson (IAI Records 373854). Other indications of the strengths and scope of the new music, which is so deeply rooted in the old, are tenor saxophonist–flutist Chico Freeman's *Kings of Mali* (India Navigation 1035) and pianist Anthony Davis's *Song for the Old World* (India Navigation 1036). In one of the songs in the latter set, "An Anthem to the Generation That's Dead," tribute is paid to, among others, Charlie Parker and John Coltrane. The sense of jazz continuity has never been stronger than among these younger players.

Still coexisting with them, of course, are musicians of previous generations, styles, and criteria of satisfaction. A nearly perfect jazz set, essential to any collection, has been made by two of these players: guitarist Jim Hall and bassist Red Mitchell (*Jim Hall/Red Mitchell*, Artists House AH 5, 40 West 37th Street, New York, N.Y. 10018). In their extraordinarily empathic interplay and deep but wholly relaxed swinging, these two life-long jazzmen exemplify Charlie Parker's definition of what this music, from the beginning, has been all about: "It's your own experience, your thoughts, your wisdom. If you don't live it, it won't come out of your horn."

Or, as one jazzman said when he heard someone on the radio talking about serious (classical) music as contrasted to all the other kinds, "Hell, what I play is serious. It's as serious as my life." ❏

(This is the second of a two-part series.)

F I L M

THE MAIN EVENT, directed by Howard Zieff.

LOST AND FOUND, directed by Melvin Frank.

THE MUPPET MOVIE, directed by James Frawley.

Dog days

STEPHEN HARVEY

LOTS OF PEOPLE CLEAR out for the summer just to stretch out and bronze themselves beside some tranquil expanse of water, but for many movie reviewers sunbathing in the environs of East Hampton and Great Barrington, there's a darker purpose behind it all: They're really escaping from the annual batch of hot-weather movies. Summer movies as a breed are conceived in cynicism, born out of no urgent passion or conviction, and spawned from cool-browed calculations as to what "they," or rather, millions of "theys," can be expected to fall for during the sultry months. Such soulless issue usually turns out to be the sort of thing one can barely contemplate seeing, much less reviewing.

Reliable sources tell me that *Rocky II* is essentially the same as *Rocky I* only slicker, and I'd just as soon take their word for it. Then there's *Bloodline* (pardon me, *Sidney Sheldon's Bloodline*), the mere thought of which brings a stitch to the side of a lifelong Audrey Hepburn Fan Club cheerleader like me. I could certainly imagine passing two spare hours in the dark with *Moonraker*, but what would there possibly be left to say about it afterward? Either you (a) gush redundantly over the gadgetry, or (b) wax tendentious over occidental capitalist colonialism at its blazingly decadent sunset.

I figure I've already paid my dues to the gruesome glories of special effects this summer—after *Alien*, which was supposed to be the *really* good horror film this year, you'd have to use chloroform to get me into a theater showing *Nightwing* or *Prophecy*. So it's on from all those monsters *maudits* to their main alternative this summer, namely, the all-too-human monsters *sacrés* cluttering up the marquees. Star vehicles are always with us, of course, but lately we've been blessed with actor iconographies shaped by formulas so byzantine that they end up sabotaging the performers they intend to enshrine.

The Barbra Streisand Movie (this time it's called *The Main Event*) is by now an immutable genre, particularly when the example at hand is personally produced by the living legend herself. Since Streisand is a star in the grand old tradition, each entry must be reminiscent of some Golden Age movie memory: via remake *(A Star Is Born)*, retread *(What's Up, Doc?* out of *Bringing Up Baby)*, or reflected glory *(Funnys Girl* and *Lady)*.

The Main Event conforms to the mold by harkening back to those Roz Russell career-woman-irresistible-force-meets-virile-immoveable-object farces. At the same time, Streisand must also be all things contemporary to her legions of fans, so scenes of disarming vulnerability carefully alternate with bits of spunk and pseudofeminism. The Streisand costar of the moment is always a certifiable hunk who doesn't talk much; this is so we can pretend in passing to be rooting for Barbra as the sexual underdog, when we and she know that she's really no such thing.

Although Streisand is allowed epiphanies of self-doubt in her movies, no one else is permitted such heresy with regard to our heroine. Cracks about her exasperating but lovable eccentricity are one thing—that's part of the image. But typically, in *The Main Event*, Barbra has merely to enter a room for perfect strangers of the opposite sex to feel that irresistible primal urge. This may have something to do with mere sensual deprivation, females being an otherwise endangered species in Streisand movies. In this rarefied sphere, their vestigial function is to serve as an adoring dress-extra Greek chorus (Anne Francis in *Funny Girl*, the Oreos in *A Star Is Born*) or as symbols of moronic petulance and

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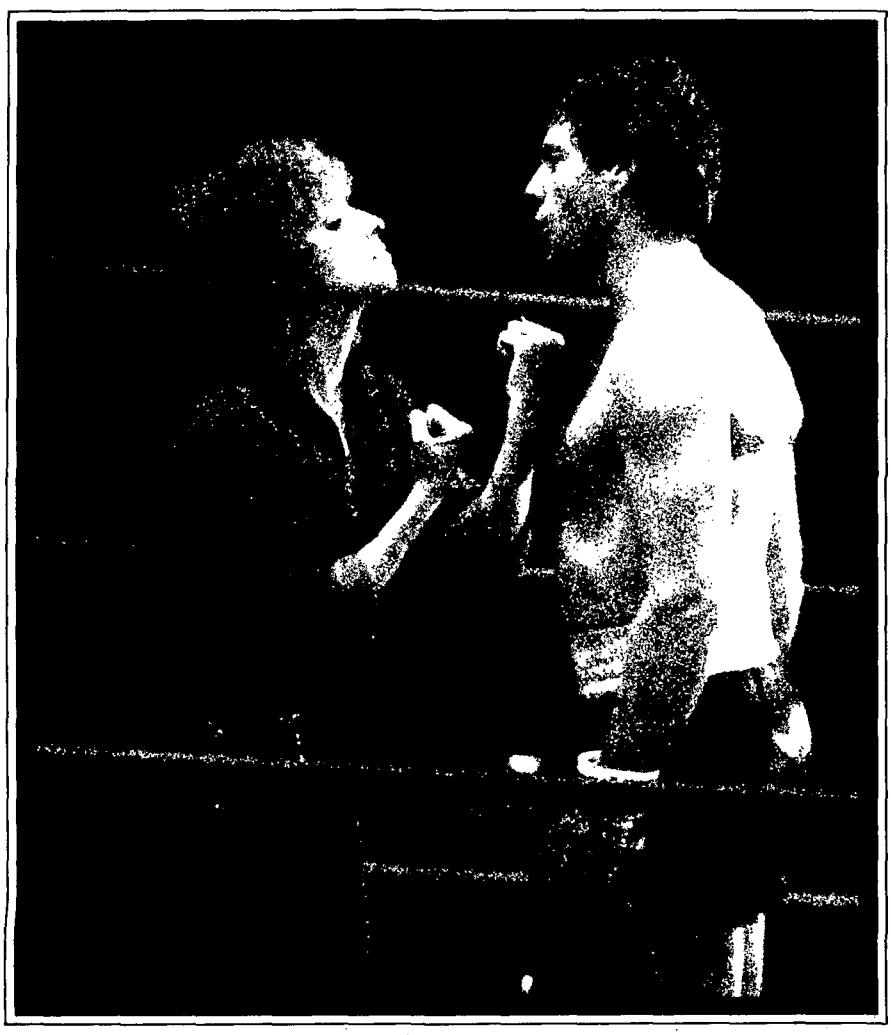
hence no competition to such a superior type as our star (à la Lois Chiles in *The Way We Were* and Patti D'Arbanville here, who gums up the works by getting bigger laughs in her ten minutes on screen than Streisand does throughout the entire picture).

A few more vital rules of the rote: Each vehicle must run at least twenty minutes longer than its plot can bear, lest we miss a moment of precious *shtick* (this time we spend about three minutes rooted in a static long shot outside a mountain cabin so we can watch Barbra carry her own luggage), and all sets must be color-coordinated to match the diva's wardrobe (you never saw so much rust and mauve in your life.)

It must be hard to come up with a plot that will adhere in every detail to these requirements, which is doubtless why *The Main Event* is so labored and arbitrary from start to finish. The lead characters and the relationship between them aren't the least bit persuasive, lacking the single-minded logic that is the basis for all good comedy. Streisand's role as luckless cosmetics magnate turned hapless boxing promoter is merely an excuse for showcasing her presumed virtuosity: She is randomly dizzy and forceful, lovesick and contemptuous, and all her schizoid traits finally cancel one another out. As her stooge and straight man, Ryan O'Neal is as stolidy genteel as ever, kayoed by a part requiring him to feign street-nurtured toughness and pugnacity in heavy dese-dem-doses. Sylvester Stallone, of course, would have been ideal, but I don't suppose there's a sound stage in the world big enough to contain both him and Streisand.

Most of the alleged humor of the piece derives from a turnabout of the sex roles in conventional romances of the past: In a climactic seduction scene, it's Streisand who comes on strong while O'Neal cowers and balks at being used as a sex object. Like everything else in the movie, this moment is rendered with tongue so conspicuously in cheek that it's all painful buildup with no payoff. In a sense, *The Main Event* is a minor tragedy in the guise of failed comedy; it gives further evidence of the dissipation of a major talent through willful myopia and an unbridled ego.



MEANWHILE, GLENDA Jackson has also been indulging in acts of professional hara-kiri lately. In the past few years her movies have come in two alternating flavors, both unpalatable. On the one hand are those dreary forays into Culture, directed by nonentities and shown to nonexistent audiences (*Hedda, Stevie, The Incomparable Sarah*). More popular but equally perplexing are her spate of "sophisticated" comedies, which keep calling on her to embody precisely those qualities most alien to what she projects on screen. In *A Touch of Class* she was cast as a mod glamor girl, encased in wigs, tons of pancake, and layers of showy clothes; in *House Calls* she essayed a surburban housekeeper, humming contentedly while setting out batches of cheesecake from the oven to cool.

In the current *Lost and Found*, she's called upon to concoct an unholy mixture of the two, as an English divorcee rewedded to an American literature professor (George Segal) fighting for tenure. The result is bound to be acutely distressing for any but the most devout Jackson aficionados. It's positively embarrassing to hear her described by all as a knockout when what you see is a sallow-skinned apparition in bubble-cut bouffant coiffure and shopping-mall, Betty Windsor togs, photographed alternately in light strong enough for conducting open-heart surgery, and 1946-style soft-focus close-ups diffused enough to make your eyes water. Nor is it diverting to watch her struggle gamely with domestic slapstick involving hyperthyroid dogs and exploding washing machines, à la Doris Day in *The Thrill of It All*. But then, *Lost and Found* seems determined to present her in the most incongruous or unpleasant manner possible throughout.

Having noted Jackson's smooth way with caustic repartee, director Melvin Frank, who also made *A Touch of Class*, has her braying snotty invective at nearly everyone who crosses her path. Although the script by Jack Rose and Frank presumably wants to engage your sympathies for this character, you end up wondering why Segal or anyone else would put up with this shrike for ten seconds. And what is this fetish for breaking Jackson's bones to get an easy laugh or two? In *House Calls* it was a fractured jaw—here it's a smashed leg.

The fact that everything else about the film is such a mess is the one tipoff that Frank et al. aren't out to get Glenda Jackson personally. Segal fares little better, and an unwonted desperation

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creeps into his patented turn as the brash, harried spouse in comic turmoil. Meanwhile, the cast of supporting characters is seasoned with such original types as a nubile post–Tuesday Weld research assistant (Hollis McLaren), a philosophical cabdriver (Paul Sorvino), and a foul-mouthed, dominating mother-in-law (Maureen Stapleton). The dialogue is self-consciously peppered with expletives so you'll know the time is the so liberal present, but for the most part the point of view of this movie is confoundedly anachronistic; when was the last time you saw a movie in which the only lament of a housebound bride, sharp-witted and articulate though she may be, was that her new husband won't share all his secret troubles with her?

When this premise flags, there's always some morbid sight gag to be milked for whatever it's worth. Assorted car wrecks and skiing mishaps are piled on shamelessly, but the best is saved for last—to wit, Segal's near-suicide by carbon monoxide poisoning, which as you can imagine is a positive riot. This movie almost makes *The Main Event* look like a genuine class act, an achievement of no small magnitude.

FOR ALL THEIR PAST illustrious achievements, neither Jackson nor Streisand has suffered a fate comparable in scope to that of one of the screen's most magnetic debutantes in recent memory. I refer, of course, to the inimitable Miss Piggy, now waging an all-out assault on the bastions of the cinema, just as she effortlessly captured television audiences heart and soul with a peremptory wave of a manicured hoof. Given her bottomless depths of emotionalism and boundless pool of self-confidence, there's no limit to her potential as a screen presence. Vain, capricious, easily bruised but never daunted, for Miss Piggy only the best is good enough (as she would be the first to attest). What a Blanche DuBois she would make! What a Margo Channing! Such a pity that the sorrows of Marguerite Gauthier were squandered on a mere mortal like what's-her-name, that Swede.

Clearly, Hollywood could be her truffle if she were given half a chance, but I'm afraid the powers behind *The Muppet Movie* have done Miss Piggy dirt. (Studio politics and envy among the ranks have no doubt played a hand.) I could forgive *The Muppet Movie* practically anything—all that tarrying too long over those wispy, mystical Paul Williams songs; even those slushy last-reel inspirational monologues about the True Power of Friendship, when any self-respecting Muppet would much rather trade rotten puns and caustic show-biz asides. But to take all that time and labor to come up with a veiled retelling of *The Wizard of Oz,* in which Miss Piggy doesn't even get to be Dorothy! (Kermit does—that's right, that nerd Kermit.) Unthinkable. Such ignominy is too grievous to go uncorrected for long. Sooner or later destiny will out, and Miss Piggy will enjoy her true place in the celluloid firmament.

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